Government of Kerala
1984



Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday, 3rd July 1984 / 12th Ashadha 1906 (Saka) [No. 556

GOVERNMENT OF KERALA

Election Department

NOTIFICATION

No. 4910/EL1/84/Elec. *Dated, Trivandrum, 3rd July, 1984.*

Election Commission's notification Nos. 480/2/84-I and 480/2/84-II both dated 25th June 1984 and their Malayalam versions are re-published.

By order,

R. Ramachandran Nair,
Chief Electoral Officer.

33/2606/S

ELECTION COMMISSION OF INDIA

Ashok Road,
New Delhi.

Dated the 25th June, 1984

Ashadha 4, 1906 (S. E.)

NOTIFICATION

No. 480/2/84-I.—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission, in consultation with the Central Government, hereby appoints the Secretary General to the Lok Sabha, Parliament House, New Delhi, to be the Returning Officer for the Vice-Presidential Election.

വിജ്ഞാപനം

നമ്പർ 480/2/84-I.—പ്രസിഡൻറിനേയും വൈസ് പ്രസിഡൻറിനേയും തിരഞ്ഞെടുക്കുന്നത് സംബന്ധിച്ച 1952-ലെ ആക്റ്റ് (1952-ലെ 31) 3-ാം വകുപ്പ് (I)-ാം ഉപവകുപ്പുപ്രകാരം, തിരഞ്ഞെടുപ്പ് കമ്മീഷൻ, കേന്ദ്ര സർക്കാരുമായി ആലോചിച്ചശേഷം, ന്യൂഡൽഹി, പാർലമെൻറ് മന്ദിരത്തിലെ ലോകസഭാ സെക്രട്ടറി ജനറലിനെ വൈസ് പ്രസിഡൻറ് തിരഞ്ഞെടുപ്പിനു വേണ്ടിയുള്ള റിട്ടേണിംഗ് ആഫീസറായി ഇതിനാൽ നിയമിക്കുന്നു.

By order,

(Sd.)
R. P. BHALLA,
Secretary.

ELECTION COMMISSION OF INDIA

Ashok Road,
New Delhi.

Dated the 25th June, 1984

Ashadha 4, 1906 (S. E.)

NOTIFICATION

No. 480/2/84-II.—In pursuance of sub-section (1) of section 3 of the Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952), the Election Commission hereby appoints Shri N. N. Mehra, Joint Secretary, Lok Sabha Secretariat, Parliament House, New Delhi, to be the Assistant Returning Officer for the Vice-Presidential Election.

വിജ്ഞാപനം

നമ്പർ 480/2/84-II —പ്രസിഡന്റിനെയും വൈസ് പ്രസിഡന്റിനെയും തിരഞ്ഞെടുക്കുന്നതു സംബന്ധിച്ച 1952-ലെ ആക്റ്റ് (1952-ലെ 31) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം, തിരഞ്ഞെടുപ്പ് കമ്മീഷൻ ന്യൂഡൽഹി, പാർലമെന്റ് മന്ദിരത്തിലെ ലോകസഭാ സെക്രട്ടേറിയറ്റ് ജോയിന്റ് സെക്രട്ടറി ശ്രീ. എൻ. എൻ. മെഹ്റയെ വൈസ് പ്രസിഡന്റ് തിരഞ്ഞെടുപ്പിനുവേണ്ടിയുള്ള അസിസ്റ്റന്റ് റിട്ടേണിംഗ് ആഫീസറായി ഇതിനാൽ നിയമിക്കുന്നു.

By order,
(Sd.)
R. P. BHALLA,
Secretary.

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KERALA GAZETTE

SUPPLEMENTS

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Kerala

PART I

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Kerala Gazette No. 27 dated 3rd July 1984.
PART I



GOVERNMENT OF KERALA

Abstract

LINGUISTIC MINORITIES—SAFEGUARDS—RECRUITMENT TO PUBLIC SERVICES—SECOND CLASS LANGUAGE TEST IN MALAYALAM—SIMPLIFICATION OF SYLLABUS—PREPARATION OF QUESTION PAPERS IN TAMIL AND KANNADA—ORDERS ISSUED

GENERAL ADMINISTRATION (RULES) DEPARTMENT

G. O. (P) No. 164/84/GAD. Dated, Trivandrum, 31st May 1984.

Read: (1) G. O. (MS) No. 142/66/PD dated 31-3-1966.
(2) G. O. (P) No. 381/78/GAD dated 16-8-1978.
(3) G. O. (P) No. 356/82/GAD dated 3-11-1982.
(4) Letter No. DEI (1) 19315/83/EW dated 5-12-1983 from the Secretary, Kerala Public Service Commission, Trivandrum.

ORDER

Government had ordered in G. O. (MS) No. 597/PD dated 1-9-1965 that whenever recruitment tests are conducted by the Kerala Public Service Commission in Malayalam, option shall be given to all candidates to take the tests either in Tamil or in Kannada or in Hindi or in English also. In the G. O. read as 1st paper above, Government have ordered that candidates who take the recruitment test in a language other than in Malayalam would be required to pass a Language Test in Malayalam as specified in the annexure thereto. Government as per the G. O. second read above, have revised and simplified the syllabus for the Language Test in Malayalam to be conducted by the Kerala Public Service Commission along with other departmental tests. Again in the G. O. read as third paper, Government have further simplified and revised the syllabus for the Language Test. Thus according to the existing syllabus for the Language Test in question, the passage for translation into Malayalam is to be in English of VII Standard without any Idiom as follows:

> "Translating an easy passage of English Prose relating to Indian subjects which contains no words that have not familiar equivalents in Malayalam".

2. It has since been brought to the notice of Government that difficulty is being experienced by the linguistic minority officers particularly those borne on lower categories working in the linguistic minority areas in translating a passage from English to Malayalam. It has been represented that the question papers for the above Language Test be prepared in Tamil and in Kannada.

3. Government consider the request reasonable since the intention is only to assess the proficiency of the candidates in Malayalam Language and hence the passage given for translation need not necessarily be in English itself. Government, therefore, in consultation with the Kerala Public Service Commission, order that the question papers under Part 'A' (written) for the Second Class Language Test in Malayalam will be prepared in Tamil and in Kannada Languages.

By order of the Governor,
P. VISWANATHAN NAIR,
Additional Secretary to Government.

To

The Secretary, Kerala Public Service Commission (with C L.)
All Heads of Departments and Offices
The Registrar, High Court of Kerala, Ernakulam ,,
The Registrar, University of Kerala, Trivandrum ,,
The Registrar, Gandhiji University, Kottayam
The Registrar, University of Cochin, Cochin ,,
The Registrar, University of Calicut, Calicut ,,
The Registrar, Kerala Agricultural University, Trichur ,,
The Secretary, Kerala State Electricity Board, Trivandrum ,,
The General Manager, Kerala State Road Transport Corporation, Trivandrum ,,
All Departments of the Secretariat
The Commissioner for Linguistic Minorities, 40, Amarnath Jha Marg, Allahabad-2 ,,
The Assistant Commissioner for Linguistic Minorities, 108, Gongu Reddy Road, Egmore, Madras ,,
The Under Secretary to Chief Secretary
The Director of Public Relations, Trivandrum.

Kerala Gazette No. 27 dated 3rd July 1984.

PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 603/84/LBR. *Dated, Trivandrum, 7th May* 1984.

The award of the Labour Court, Quilon in respect of the dispute between the Manager, Kumbazha Estate Pathanamthitta P. O., and the workman of the above estate namely Shri John, Thundiath Kappil, Kizhakumpuram P. O., (via) Kumbazha, Pathanamthitta received by Government on 3-5-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A. S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Quilon

Monday 30th day of April, 1984/10th Vaisakha, 1906

Present :

Smt. C. VISALAKSHI AMMA, B. A., B. L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 14/81

Between

The Manager, Kumbazha Estate, Pathanamthitta P. O.

And

The workman of the above estate namely: Shri John, Thundiath Kappil, Kizhakumpuram P. O., (via) Kumbazha, Pathanamthitta.

Representations:—

M/s Menon & Pai, Advocates, Ernakulam. — For *the Management*

AWARD

The dispute referred for adjudication by the Government of Kerala as per G. O. (Rt.) No. 1029/81/LBR dated 13-8-1981 relates to the dismissal of Watcher John.

The dismissed employee as well as the management entered appearance and filed statements regarding their respective contentions.

Shri John the workman was employed as a watcher in the estate of the management to look after the jack clearing on the estate. On 10-10-1979 the firewood cut and stacked in the jack area where Mr. John was deputed to watch, was found missing during his working hours. He was therefore charge sheeted for the misconduct of theft fraud or dishonesty in connection with the employer's goods or property and malingering or slacking whilst at work. He denied the charges and so an enquiry was conducted by the Assistant Manager of the Management, who found him guilty of the charges. Subsequently he was dismissed from service.

The dismissed workman is not represented by any trade union or a legal practitioner. He himself appeared and raised the dispute before the Government and the matter was referred to this Court for adjudication.

In his claim statement the workman would state that the management has issued such a charge memo to him at the instance of certain Tamil labourers of the estate who are having some ill feeling towards him. The allegations of theft, fraud, dishonesty etc. levelled against him are absolutely false. There was also no proper enquiry conducted in the case and he was not given proper opportunity to establish his defence. Therefore it is pleaded that he is to be reinstated in service with backwages and other benefits.

The contentions raised by the Management are the following :—Sri John, No. 1714 was employed as a Watcher to look after the jack clearing on the estate. On 10-10-1979, the firewood cut and stacked in the jack area where Mr. John was deputed to watch, was found missing during his working hours. He was charge sheeted for the misconduct of fraud and dishonesty and after proper enquiry was dismissed from service. A domestic enquiry was conducted in accordance with the principles of natural ju tice and sufficient opportunity had been given to him to establish his defence. His allegation that he was dismissed because he happended to be a Malayalee and that the case was foisted against him are absolutely false. He was dismissed for serious misconduct and the enquiry conducted was proper. The misconduct proved against him are of such a nature that warrant the punishment of dismissal. On these grounds it is condented that Sri John is not entitled to be reinstated with backwages or to any other benefits.

The enquiry officer was examined as MW1 and the enquiry proceedings and the report were filed and marked. After considering the

available evidence adduced by the management a Preliminary order was passed on 5-7-1982 holding that there was no proper enquiry in the case and so the findings of the enquiry officer cannot be accepted.

The Preliminary order is as follows :—

"The dismissed employee as well as the Management entered appearance and filed statements regarding their respective contentions :—

The charge against Sri John is that the firewood stacked on 10th October 1979 was lost at a time when Sri John was on duty and that he, himself is involved in the theft. The charge reads "Theft, fraud or dishonesty in connection with the employer's goods or property and malingering or slacking whilst at work in that it is alleged that on 10-10-1979, the firewood out and stacked in the Jack area was found missing during your working hours. Further it has been alleged that you are also involved in the theft".

Sri John denied the charges. An enquiry was conducted by MW1 the Assistant Manager, who found the employee guilty of the charges. Subsequently Sri John was dismissed.

The dismissed employee is not represented by any trade union or a legal practitioner. He has appeared in person.. It was suggested in cross-examination of MW1, that the report alleging theft was filed before the time of the alleged theft and that the scene of occurrence does not form part of the area over which Sri John was to keep watch. The witness denied the suggestion, that the employee had told him that the enquiry was not conducted in a proper manner.

The findings of the enquiry officer show that he had not made an attempt to arrive at the truth. He has begun with the conclusion that "It is quite evident from the proceedings of the enquiry that some pieces of firewood were removd by some people from the Jack-clearing on No. 2 Division on 10-10-1979 in the morning". He proceeds "This took place during the working hours of 1714 John, who was deputed as the watcher for that particular area. The complainant's statement has been substantiated by the evidence produced by the prosecution witnesses. As the watcher, 1714, John, failed to prevent the theft during his working hours and as he did not report about it either, it is quite apparent that he was not performing his duty properly. In so far as this is established it is proved beyond doubt that 1714 John is guilty of the charge of malingering or slacking whilst at work". It is quite obvious from the above, that the enquiry officer had not made an attempt to appreciate the evidence and to come to any definite conclusion. Such being the case the findings of the enquiry officer cannot be accepted I feel that the management should be afforded an opportunity to prove the charge before this Court. Therefore the case is posted for evidence on behalf of the management to 23rd of August 1982".

Accordingly the case was posted for evidence on behalf of the management to prove the charges levelled against the workman.

Subsequently three more witnesses were examined on the side of the management as MWs 2 to 4. The workman did not adduce any oral evidence in his behalf.

The points for consideration are :—

(i) Whether the charges of fraud and dishonesty alleged against the workman are proved in the case.

(ii) Whether the order of dismissal passed by the management is proper and valid.

(iii) Reliefs and costs.

The evidence consists of the oral depositions of MWs 1 to 4, Exts. M1 to M13 and Exts. W1 and W2.

Point No. (i). The case of the management is that the workman was employed as a watcher in the jack clearing estate in No. 2 division and that on the night of 10-10-1979 certain firewood cut and stacked in the jack clearing was found missing during the duty hours of the workman. It has come out in evidence that on the particular day he was on duty from 7 a.m. to 1 p. m. and that the theft of the firewood took place between 7 a. m. and 11.30 a. m. The management's case is that the workman himself is involved in the theft and that therefore he is guilty of serious misconduct is causing loss to the employers property and goods. In the circumstances the question to be considered is how far the theft or dishonesty alleged against the workman stands proved. The witnesses who would speak to the occurance are MW2 to 4. The main contention of the workman is that this is a false charge levelled against him at the instance of certain Tamil labourers who were entertaining feelings of enimity towards him, whether true or not, the records would show that the witnesses who would speak against him are all Tamilian labourers. It is also come out in evidence that the work of filling and removing the jack timbers from the jack area was entrusted to a Tamil contractor and that it was under his instructions the labourers of the estate were engaged in such work of cutting and removing the timber. On the previous night some 50 logs of firewood were stacked in the jack clearing area but all those logs except two were found missing, when the night wacher assumed charge at about 4 p. m. on 10-10-1979. The allegation is that it was with the connivance of John the duty watcher that some miscreants had stolen away those firewood logs. MW2 is the watcher Ganapathy who assumed charge of the watchman at about 4 p. m. on 10-10-1979, when he was informed that some logs of firewood had been removed by certain persons of the locality. He had no direct knowledge of the theft as he has not witnessed the incident. He has only hear say knowledge about the matter. The only fact that has been disclosed from his evidence is that this workman John had approached him on the particular night at about 7 or 8 p. m. in the company of two other persons and had pointed him out to those persons. He then heard those strangers uttering abusive words at him. But his evidence does not show that any of those persons had directly abused him by uttering obscence words. It was

after that, he filed a report before the superintendent regarding the alleged incident. MW3 is the only person who is alleged to have seen the occurence. His evidence is to the effect that on 10-10-1979 at about 11.30 a. m. he saw some 8 persons removing some logs of firewood on head-load from the jack clearing estate. Six of them were proceeding a head of the others each carrying a log of firewood while the other two followed them from behind, they too carrying each a log of firewood. He asked those persons not to remove the firewood but they did not pay and heed to his demand. He therefore looked out in the vicinity for the day watcher but was unable to trace him out. Thereafter in the evening when the night watcher came to assume charge he reported the matter to him.

MW4 was the conductor, in No. 2 division of the estate, during the relevant period. He too had only hear say knowledge regarding the alleged theft. They reported the matter to the estate authorities and it was on the basis of the evidence of MWs 2 and 3 that the authorities came to the conclusion that this watcher himself had either committed the theft or had assisted the others in committing the theft. As stated earlier the evidence of MW3 the sole eye witness is not sufficient to show that the watcher had any part in removing the logs of wood from there. Apart from that, his evidence would show that in spite of his vigorous search he was not able to find out the day watcher so as to intimate him about the alleged theft of firewood committed by some unknown persons. His evidence is also to the effect that he is a person residing closely; and he being the only person who had seen the incident he might have been able to identify the real culprits. But there is nothing in evidence to show that either the authorities or this witnesses had made any attempts to trace out those persons and to prove the case. It is clear from the evidence of MW3 himself that the watcher John was no where in the vicinity when the actual theft was committed by some unknown persons Hence it cannot be held that it was with the knowledge of the watcher that this removal of the firewood took place. As pleaded by the watcher, No. 2 division is a vast area and he had to do his watching duty through out that entire area. He was the only person employed to do the watching duty during the day time and hence it cannot be presumed that he was actually present in the vicinity or in the nearby place to have witnessed the incident. He would also plead that quite often the workers of the estate themselves who reside in the permises used to remove pieces of firewood for cooking purposes.

However the evidence adduced by the witnesses is not sufficient to prove that the theft of firewood occured with the knowledge or consent of the watcher. Of course his prior record would show that he was often accused of deriliction of duty on former occasions also, and that he had been charge sheeted for offences of theft and dishonesty in the year 1968, 1978 and 1979 etc. for removal of logs of firewood from the jack clearing estate. But on all those occasion he had been exonerated from such charges which are evidenced by the exhibits produced by both parties. In the circumstances the utmost that can be held against the watcher is that he was

negligent in attending to his duties as a watcher which enabled some miscreants to enter the estate and to remove the logs of fire wood. But even then the evidence would not show that he is guilty of wilful negligence. However the theft occured during his duty hours and he was not able to detect the offence. It was only after the night watcher had come to duty that the theft was reported to him subsequent to which he brought the matter to the notice of the authorities which led to the subsequent developments in the case. In the circumstances I find that the charges of theft, fraud or dishonesty are not proved against the watcher but that he was negligent in his duties though not wilful.

Point No. (*ii*) :—The facts and circumstances of the case would prove that the watcher was negligent in doing his duty and so had failed to detect the theft committed within his area then and there. But this negligence on his part cannot be considered as a serious misconduct so as to warrant the extreme punishment of dismissal. Of course he had been dismissed on some prior occasions also through he had been reinstated on all such occasions. In such circumstances he should have been more careful in his duties to prevent any malpractice within his area. However he was out of job from 21-11-1979 i e. from the date of dismissal. This would be a sufficient punishment for the negligence on his part. I therefore find that the order of dismissal passed on the worker is not proper and that he is entitled to be reinstated in service but in the circumstances without any backwages or other benefits.

Point No. (*iii*) :—The worker will be reinstated in service without any backwages or other benefits.

In the result an award is passed directing the management to reinstate the watcher John in service without any backwages or other benefits. Parties will suffer costs.

This award shall come into force on the expiry of thirty days from the date of publication in the Government Gazette.

C. Visalakshi Amma,
Presiding Officer.

Appendix

Witnesses examined on the side of the Management :

MW1 R. A. Venketesan
MW2 Ganapathy
MW3 P. S. Abraham
MW4 E. Chellaiah

Witnesses examined on the side of the Worker : Nil.

Exhibits marked on the side of the Management :

Ext. M1	Charge sheet dated 24-10-1979 issued to 1714 John.
Ext. M2	Copy of showcause notice dated 16-10-1979 issued to John.
Ext. M3	Report dated 10-10-1979 filed by Ganapathy, Watcher.
Ext. M4	Another report dated 11-10-1979 filed by Ganapathy, Watcher.
Ext. M5	Explanation dated 18-10-1979 filed by John.
Ext. M6	Proceedings of enquiry.
Ext. M7.	Findings of the enquiry.
Ext. M8	Copy of dismissal order dated 31-10-1968 issued to 1714 John.
Ext. M9	Memorandum of settlement dated 14-11-1969.
Ext. M10	Suspension order dated 9-4-1977 issued to John.
Ext. M11	Warning order dated 3-10-1968.
Ext. M12	Charge sheet showcause notice dated 24-9-1979 issued to John.
Ext. M13	Copy of exoneration order dated 23-10-1979 issued to John.

Exhibits marked on the side of the Worker :

Ext. W1	Printed notice dated 25-11-1969.
Ext. W2	Another do.

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Kerala Gazette No. 27 dated 3rd July 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 251/84/LBR. *Dated, Trivandrum, 22nd February 1984*

The award of the Labour Court, Ernakulam in respect of the dispute between the President, Pudukad Service Co-operative Bank Limited No. 580 Pudukad, Trichur District and the workman of the above concern represented by (1) The Secretary, Kerala Co-operative Employees Federation, Trichur Taluk Committee, Chalakudy, Trichur District and (2) Smt. M. J. Mary, w/o Late Shri M. L. Lazar, Madurakkary House, Pudukad (No. 2 impleaded) received by Government on 18-2-1984 is hereby published under Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Covernor,
A. S. MONI ACHARI,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Wednesday, the 15th February 1984

Present :

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 76 OF 1980

Between :

The President, Pudukad Service Co-operative Bank Limited
No. 580, Pudukad, Trichur District

And

The workman of the above concern represented by (1) the Secretary, Kerala Co-operative Employees Federation, Trichur Taluk Committee, Chalakudy, Trichur District and (2) Smt. M. J. Mary, w/o late Shri M.L. Lazar, Madurakkary House, Pudukad (No. 2 impleaded)

Representations :

Shri M. Venugopalan,
Advocate, Trichur. .. For *Management*

Shri K. V. K. Panicker,
Trade Union Leader, Trichur .. For *Union and Workman*

AWARD

The issue referred for adjudication by Government as per G.O. (Rt.) No: 1045/80/LBR dated 16-7-1980 is "Dismissal of Shri M. L. Lazar".

2. Shri Lazar was the Additional Secretary of the Pudukad Service Co-operative Bank Limited No. 580 (hereinafter referred to as the Bank). While so disciplinary proceedings were initiated against him and he was dismissed after a domestic enquiry. It is the correctness of that dismissal that is being challenged by the Union.

3. Shri Lazar died pending adjudication and his widow Smt. M.J. Mary was also impleaded as an additional party by me as per my order dated 20-7-1982 in M.P 32/82 filed by her.

4. The complaint of the Union is that Shri Lazar, one of its active members, was victimised on account of Union activities by the then Administrator by raising false charges against him. While pleading innocence of Lazar the Union alleges further that the enquiry was held in violation of all principles of natural justice and the findings of the Enquiry Officer are perverse. Though reinstatement was originally claimed adequate compensation payable to the widow is the relief now pressed.

5. The Management while denying the allegation of victimisation contends that Shri Lazar was really guilty of grave acts of misconducts including misappropriation and that those misconducts were well established in a properly conducted domestic enquiry and the dismissal awarded has therefore to be sustained. According to the Management no compensation can be awarded to the widow of Shri Lazar.

6. No oral evidence was adduced in the case. The Management had produced documents concerning the domestic enquiry. Domestic enquiry was conducted by an Advocate. Shri Lazar had participated in the domestic enquiry throughout. Admittedly he had signed the relevant depositions and it was admitted that those documents can be accepted as true even without examination of the Enquiry Officer. Ext. M1 is the report of the Enquiry Officer. Ext. M2 is the file containing the depositions of the two witnesses examined on the side of the Management and the three witnesses for the defence. Ext. M3 file contains some of the 31 exhibits marked on the side of the Management. Some other exhibits marked on the side of the Management at the enquiry are account books which are also produced. The documents proved on behalf of the workman are contained in Ext. M4 file.

7. The Union has a serious contention that Shri Lazar was victimised by the then Administrator on account of his Union activities. There is absolutely no evidence in support of this contention. So that allegation has to be rejected. The other complaint is that principles of natural justice were not adhered to by the Enquiry Officer. The Enquiry Officer is a senior Advocate. The documents available show that Shri Lazar was given all

possible opportunities to attempt to establish his innocence. He was permitted to cross-examine the witnesses examined on the side of the Management. Actually he had cross-examined them at great length. He who was given an opportunity to adduce defence evidence examined three witnesses on his side. There is nothing to show that any legitimate request advanced at the enquiry was rejected by the Enquiry Officer. In these state of affairs it can safely be concluded that the enquiry was held in accordance with the principles of natural justice. So I hold that the enquiry was properly held.

8. The remaining complaint is that the findings are perverse. Copy of the charge served on Shri Lazar was marked as Ext. M1 at the enquiry. That is contained in Ext. M3 file. There were as many as 9 charges. Item Nos. 1 to 5 gave the details of specific items of misconducts concerning Kuri transactions. Item Nos. 6 to 9 are general charges to the effect that Shri Lazar had been negligent in his duties and thereby caused loss to the Society and under item Nos. 1 to.5, five specific instances having registered transfer of Kuri Tickets without adequate safeguards for the interests of the Society are mentioned. The fact that there were such irregularities and that the Society sustained loss on account of those irregularities is not in dispute. The contention of Shri Lazar was that Shri K.K. Jose who was the Kuri Section Clerk was responsible for the irregularities. This contention did not find favour with the Enquiry Officer and it was found that Shri Lazar who was the responsible officer competent to sanction transfers of tickets was really guilty of the main misconducts attributed to him. There is evidence at the enquiry to the effect that Shri Lazar had the responsibility to take adequate safeguards to protect the interest of the Society in recognising and registering transfers of Kuri Tickets. It has come out in evidence that payments were effected when they were not really due since sufficient safeguards were not insisted. Shri Lazar cannot escape from his responsibility by saying that the Section Clerk alone was responsible. So the Enquiry Officer was correct when he held that Shri Lazar was guilty of the main charges. So the contention that the findings are perverse cannot be accepted. I have no hesitation to say that the findings of the Enquiry Officer are correct.

9. Now remains the question of reliefs. Shri Lazar is no more and there is no question of considering reinstatement. But we have to see as to whether the dismissal would have been appropriate in the circumstances of this case. Admittedly there was a Kuri Section Clerk on the basis of whose notes the transactions in question were ordered by Shri Lazar. It is not proved that there was misappropriation by Shri Lazar. It is true that the Society had sustained substantial loss. But it was the subscribers who benefited. In these state of affairs dismissal is too harsh to be sustained. A discharge instead would have been sufficient in the circumstances of this case. So the benefits that Shri Lazar would have obtained in case he was discharged can be awarded to his widow Smt. Mary who is additionally impleaded as a party here. An award is therefore passed directing the Management Society

to pay Smt. M. J. Mary the benefits which should have been paid to Shri Lazar had he been discharged instead of being dismissed. The benefits have to be worked out as though he was discharged on the date on which he was intended to be dismissed.

Ernakulam,
15-2-1984.

N. SUKUMARAN,
Presiding Officer.

Appendix

Exhibits marked on the Management's side :

Ext. M1. Report of the Enquiry Officer.
,, M2. The file containing the depositions of the witnesses examined at the enquiry.
,, M3. The file containing certain exhibits marked at the enquiry.
,, M4. The file containing the documents of the workman.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 196/84/LBR. *Dated, Trivandrum, 10th February* 1984.

The award of the Labour Court, Ernakulam in respect of the dispute between the President, Parappur Service Co-operative Bank Limited, No. 474, Parappur and workman of the above concern Shri K. A. Ittiachan, Kundukulangara House P. O., Parappur received by Government on 7-2-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A. S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

(Tuesday, the 31st January, 1984)

Present:

Shri N. SUKUMARAN, B.SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 78 OF 1980

Between

The President, Parappur Service Co-operative Bank Limited, No. 474, Parappur

And

The workman of the above concern Shri K. A. Ittiachan, Kundukulangara House, P. O. Parappur.

Representations:—

Shri M. Venugopalan, Advocate, Trichur. — For *Management*

M/s P. Balakrishnan, C. S. Ramachandran and K. Sidharthan, Advocates, Trichur. — For *Workman*

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 1028/80/LBR dated 14-7-1980 is "Dismissal of Sri Ittiachan".

II. Shri Ittiachan, a Peon of the Parappur Service Co-operative Bank Limited No.474, was dismissed after a domestic enquiry in a disciplinary proceedings initiated. The validity of the domestic enquiry was seriously challenged by the workman and therefore that aspect was considered and disposed of by me as a preliminary issue as per my order dated 5-1-1984. I shall here extract that order in full which contains the necessary facts:—

"PRELIMINARY ORDER

Dismissal of Shri Ittiachan, a Peon of the Management Co-operative Society, (hereinafter referred to as the Society) is the issue involved in this reference. The Society had originally initiated disciplinary proceedings against Shri Ittiachan for some misconducts and a domestic enquiry was conducted. Pending enquiry he was placed under suspension and ultimately he was reinstated with effect from 16-1-1979 awarding him a punishment of suspension during the period he was under suspension from 25-8-1978. Accordingly Shri Ittiachan joined duty. But the Society again started disciplinary proceedings against him alleging that his conduct after reinstatement was most objectionable. A charge was framed against him on 2-2-1979 imputing the following misconducts :—

I. He was absent without leave on 17th, 18th and 19th of January 1979.

II When he attended for duty on 20-1-1979 he refused to handle manure which was part of his duty.

III He who was the custodian of the key of the main gate did not turn up for duty on the 22nd when an important meeting in which dignitaries were intended to take part and great inconvenience was caused since the gate remained locked. He did not appear for duty on the 23rd also.

IV When Shri Ittiachan reported for duty on the 24th he behaved in an impertinent manner to the Secretary and used abusive language when he was questioned as to why he did not turn up on the 22nd. He absented without leave thereafter till 2-2-1979.

2. Shri Ittiachan submitted his explanations stating that he had applied for leave for the days on which he was absent for compelling reasons. He also said that he did not misbehave to the Secretary or use abussive language against him. The explanation did not find favour with the management and therefore a domestic enquiry was orderd. MW1, an Advocate, conducted the domestic enquiry with notice to Shri Ittiachan. Shri Ittiachan participated in the enquiry held on 10-4-1979. He cross examined the two witnesses examined on the side of the Management and

left without continuing to participate in the further proceedings. The remaining two witnesses were also examined on the same day and the proceedings concluded. The Enquiry Officer gave his findings to the effect that Shri Ittiachan is guilty. Accepting the same he was dismissed. The correctness of that dismissal is what is under challenge.

3. Shri Ittiachan complains in the charter of demands under which the dispute was raised, the claim statement filed before this court and the rejoinder filed in answer to the contentions of the Management that there was no valid and proper domestic enquiry. While pleading innocence of the charges he states that the findings of the Enquiry Officer are perverse and therefore he is entitled to reinstatement with all benefits. The Management on the other hand contends in its written statement that Shri Ittiachan was really guilty of the misconducts attributed to him and that it was well established in a properly conducted domestic enquiry. The punishment, according to the Management, is sustainable considering the gravity of the offence. The findings of the enquiry officer are reasonable on the evidence admitted and therefore there are no reasons to interfere with the same or with the punishment awarded.

4. The validity of the domestic enquiry is being tried as a preliminary issue in view of the rival contentions relating to that aspect. This order relates to the same.

5. The Enquiry Officer examined as MW1 has proved Ext. M1 file containing the relevant papers concerning the domestic enquiry. Shri Ittiachan has given evidence as WW1.

6. The first point arising for consideration is as to whether there was a proper and valid domestic enquiry. It is the admitted case that Shri Ittiachan was served with a show cause memo containing the details of the allegations raised against him and that he submitted an elaborate explanation. Shri Ittiachan had notice of the enquiry held by MW1 on 10-4-1979. He participated at the initial stages. He left after the examination of two witnesses. The controversy is as to whether Shri Ittiachan had justifiable reasons to leave the venue of enquiry. His case is that at that stage he received intimation to the effect that his wife was seriously ill requiring hospitalisation and therefore he left after impressing the enquiry officer of the necessity for his departure. He swears to that effect as WW1. The Enquiry Officer on the other hand states that Shri Ittiachan did not make any such representation before him and that he left stating that he is leaving as he is not prepared to participate further. It is further spoked to by MW1 that Shri Ittiachan had made a record of his stand as per Ext. M1 (a) and that is how further proceedings were held in his absence. It is admitted by WW1 that he had himself written and signed Ext. M1 (a).

That reads as follows :—

"എൻക്വയറി ഓഫീസർക്ക്:—

തുടർന്നുള്ള സാക്ഷിവിസ്താരത്തിൽ എനിക്ക് പങ്കെടുക്കുവാൻ സാദ്ധ്യമല്ല. എനിക്ക് സാക്ഷികളെ വിസ്തരിക്കുവാൻ ഇല്ല."

The explanation offered by WW1 for having written such an endorsement in Ext. M1 file is that he was compelled by MW1 to make such a record. MW1 emphatically denies having made any such suggestion or compulsion. That there was no such possibility for compulsion is evident from the stand taken up by Shri Ittiachan in the charter of demands. There reference is made to the circumstance under which he had to leave the venue of enquiry. The relevant passage reads:—

"എൻക്വയറി നടന്നുകൊണ്ടിരിക്കുമ്പോൾ ഞാൻ രണ്ടു സാക്ഷികളെ വിസ്തരിച്ചതിനുശേഷം സ്ഥലം വിട്ടുപോയി എന്നത് കെട്ടുകഥയാണ്. തെളിവു കഴിഞ്ഞതായി പ്രസ്താവിച്ചപ്പോൾ ഞാൻ സ്ഥലം വിടുകയും തദവസരം ദുരുപയോഗപ്പെടുത്തി രണ്ടു സാക്ഷികളെ വിസ്തരിക്കുകയാണ് ചെയ്തത്. എനിക്ക് തെളിവ് കൊടുപ്പാൻ അവസരം നൽകുകയുണ്ടായിട്ടില്ല".

The above statement indicates that the Enquiry Officer declared that the evidence was closed. This is contrary to the present stand advanced before me. If as a matter of fact the worker had left on receiving urgent summons from home concerning the illness of his wife then that fact could have been mentioned in the charter of demands. Similarly the same reason would have been recorded in Ext. M1 (a). It is not a case where Shri Ittiachan was acting on his own initiative in the matter of this disciplinary proceedings. It is seen that a very elaborate explanation was filed in answer to the show cause notice containing the allegations. He has admitted before me as WW1 that the explanation was written in the handwriting of the clerk of the Advocate who is now defending him. Thus Shri Ittiachan was naturally preparing his defence at the domestic enquiry in cosultation with somebody else. In these state of affairs it cannot be said that he who was unaware of the consequences of his actions wrote Ext. M1 (a) on compulsion of the Enquiry Officer. MW1 a Senior Advocate has stated that he in fairness would have granted adjournment had he been told that the workman's presence elsewhere is urgently required. I find no reason to disbelieve MW1 especially in the circumstances mentioned above. So the case of the workman that he had to leave the venue of enquiry under compelling circumstances cannot be believed even for a moment. In all probability he must have purposely withdrawn from the enquiry with a view to raise contentions like the once that are now advanced, at the appropriate future time. In these state of affairs the workman's case that he had written to the Enquiry Officer stating the true state of affairs under Ext. W1 certificate of posting on 11-4-1979 has no importance at all. The workman who had been given all reasonable opportunities to defend himself had purposely staged a walkout and therefore he cannot now legitimately complain that he was denied sufficient opportunities to establish his innocence. No other specific irregularities were pointed out and so I hold that the enquiry was properly conducted.

7. Now remains the question as to whether the findings of the Enquiry Officer are correct or perverse. The Secretary of the Bank had given evidence at the enquiry as the first witness. He in his evidence supports the charges against the workman on most of the details. But he did not speak of the allegation that filthy language was used against him on the 24th of January 1979. What he states is that Shri Ittiachan behaved in an impertinent manner. Same is the case with the other witnesses examined. So the allegation that Shri Ittiachan used filthy language is not proved in evidence at the enquiry. The 1st witness had admitted that Shri Ittiachan had applied for leave for the 17th, 18th and 19th of January 1979 and that the same was refused. It is further admitted that leave applications were presented for the 22nd, 23rd and 27th and that they were also refused. It may be that leave applied for was not sanctioned for those days. Still the absence on those days though technically a misconduct cannot be treated as wilful. But regarding the 22nd there is importance since there is evident that a meeting was sheduled to be held at the premises of the society and that it could not be held in time since Shri Ittiachan did not turn up to produce the key with which the main gate was locked. If as a matter of fact he had some inconvenience he could naturally have made arrangements to deliver the key to someone responsible in time. There is also evidence that he refused to attend to his normal duty of opening the manure depot on 20th. There was also absence from 24th January to 2nd of February for which there is no satisfactory explanation except perhaps the leave application for the 27th of January. When all these facts revealed in evidence are taken together the finding that Shri Ittiachan is guilty of the misconducts attributed to him except to the extent of the allegation that he used filthy language are correct and proper. The findings are confirmed subject to the above modifications.

8. In the result it is hereby found that there was a proper and valid domestic enquiry and that the findings subject to the modifications mentioned above are correct."

III. What remains to be considered is as to whether the workman is entitled to any reliefs in the matter of punishment. The concerned workman Shri Ittiachan is a Peon. Earlier disciplinary proceedings were initiated against him and he was reinstated on 16-1-1979 awarding him substantial punishment of suspension for the period he was under suspension pending enquiry from 25-8-1978. Disciplinary proceedings were again instituted against him on the basis of his behaviour soon after the reinstatement. It is argued by the learned counsel for the Management that the attitude of this workman is not at all co-operative and it would be very difficult for the Management to have a smooth and effective functioning of the office with a Peon like him and therefore the dismissal has to be confirmed. The main allegation that this workman used abusive language against the Secretary is not substantiated. Then what remains is unauthorised absence causing inconvenience to the normal functioning of the Society and

the failure to obey a direction to open the manure depot. These are comparatively minor offences for which the ultimate penalty of dismissal cannot normally be inflicted even when viewed from the background that the workman was once proceeded against and the punishment of suspension awarded. In the circumstances of this case I feel that loss of wages and loss of service for the broken period will be sufficient punishment. So the workman can be reinstated with the above punishment.

IV. In the result an award is passed directing reinstatement of the workman without benefits of backwages or continuity of service for the broken period. The service already rendered prior to the date of dismissal will be tacked on to the service that is to be served hereafter and the broken period will not be counted for any purpose. He will start on a scale of pay that he was drawing at the time of his dismissal subject of course to the benefit of revisions, if any.

Ernakulam.
31-1-1984.

N. SUKUMARAN,
Presiding Officer.

APPENDIX

Witness examined on the Management's side :

MW1 Shri M. S. Kartha.

Witness examined on the workman's side :

WW1 Shri Ittiachan.

Exhibits marked on the Management's side:

Ext. M1. The domestic enquiry file.
,, M1 (a) An endorsement made by Shri Ittiachan in Ext. M1 file on 10-4-1979.

Exhibit marked on the workman's side :

Ext. W1. A certificate of posting showing the addresses of Shri M. S. Kartha and the Secretary of the Society dated 11-4-1979.

Kerala Gazette No. 27 dated 3rd July 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 336/84/LBR. *Dated, Trivandrum, 14th March 1984*

The award of the Labour Court, Ernakulam in respect of the dispute between the Management of the Meloram Estate, Meloram P. O., Mundakayam owned and managed by M/s K. V. Zacharia & Sons (P) Ltd., Mundakayam and the workmen of the above estate represented by the General Secretary, High Range Plantation Employees Union, Elappara P. O. received by Government on 7-3-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

A. S. Moni Achari,

Deputy Secretary to Government.

In the Labour Court, Ernakulam

(Friday, the 2nd March 1984)

Present

Shri N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 68 OF 1981

Between

The Management of the Meloram Estate, Meloram P.O., Mundakayam owned and managed by M/s K. V. Zacharia & Sons (P) Ltd., Mundakayam.

And

The workmen of the above estate represented by the General Secretary, High Range Plantation Employees Union, Elappara P. O.

Representation:—

Shri Joseph Mackil,
Advocate, .. *For Management.*
Kottayam-2.

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 841/81/LBR dated is the following:—

"Dismissal of S/Sree (1) K. B. Sadan, (2) K. V. Karunakaran, (3) P. John, (4) K. V. Vasudevan & (5) K. Sivan.'

2. The Management in its written statement justifies the dismissals of the five employees by contending that they were found guilty of grave acts of misconducts in a properly conducted domestic enquiries. According to the Management there are no reasons to interfere with the punishments which are proportionate to the gravity of the offence.

3. The Union in its rejoinder challenges the dismissals by alleging that the dismissed workmen were active leaders of the trade union and therefore they were victimised by the Management. It is further complained that there was no proper or valid domestic enquiry and the workmen who are really innocent were found guilty without any acceptable evidence. Reinstatement of the workmen with all benefits is claimed.

4. The case came up for evidence on the above pleadings to 9-2-1984. The Union then remained absent and therefore it was set ex-parte and the case adjourned for evidence of the Management to 23-2-1984. On that day also there was no representation on behalf of the Union. The Management produced Exts. M1 and M2 files concerning the domestic enquiries and the findings of the Enquiry Officer. An affidavit sworn to by the Secretary of the Management Company containing averments in support of the contentions was also filed. The Management was heard on the available material and the case taken up for award.

5. Ext. M2 file contains the relevant documents concerning the enquiry and Ext. M1 the reports of the two Enquiry Officers who conducted the independent enquiries against the workmen concerning the charges against them. The documents show that the Enquiry Officers who are Advocates have given all opportunities to the workmen to attempt to establish their innocence. Prima facie those documents are sufficient to say that there was a proper and valid domestic enquiry. The workmen had participated in the enquiry and cross-examined the witnesses examined on behalf of the Management and they had stated that they have no defence evidence. The findings are on the basis of the evidence thus adduced. In this back ground it was upto the Union to show that their complaint that principles of natural justice were violated in the matter of disciplinary proceedings and the enquiry is genuine. They have not cared to do that. The fact that the Union is not interested in prosecuting its case is a sufficient indication from which it can safely be concluded that the Union has no presentable case. The records show that the workmen were guilty of mi conducts attributed to them.

6. Now remains the question as to whether the workmen are entitled to any reliefs in the matter of punishment. Sarvasree Vasudevan and K. Sivan are proved to have attempted to assault Shri K. A. Joseph, the

Visiting Director of the Company, when he was returning after his visit to the Estate at about 1.30 p m. on 5-3-1979. The evidence is that they were prevented from meterialising their intention by the timely intervention of the Police. This is a grave act of misconduct for which the punishment of dismissal cannot be treated as disproportionate. As against the other three the allegation proved is that they on 12-5-1977 from 7.30 to 11.30 a.m. had kept the Asst. Superintendent of the Estate under wrongful restraint and the Superintendent was rescued by the Police force summoned for that purpose. This too is a serious offence and it cannot be said that the punishment awarded is more severe than what would have been normally thought of. So the punishments awarded to the workmen are proper and no interference by this Court is called for. In the result an award is passed confirming the dismissals of the five workmen.

Ernakulam,
2-3-1984.

N. SUKUMARAN,
Presiding Officer.

Appendix

Ext. M1. The file containing the domestic enquiry reports.
,, M2. The file containing the relevant papers of the domestic enquiry.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFIGATION

G. O. (Rt.) No. 337/84/LBR. *Dated, Trivandrum, 14th March 1984.*

The award of the Labour Gourt, Ernakulam in respect of the dispute between the Managing Director, The Trichur Wholesale Co-operative Consumers Stores Ltd. No. R. 239, Rice Bazar, Trichur-1 and the workmen of the above concern represented by the Secretary, The Trichur Wholesale Go-operative Gonsumers' Stores Employees' Association, Rice Bazar, Trichur-1 received by Government on 7-3-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Gentral Act XIV of 1947).

By order of the Governor,

A.S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Saturday, the 3rd March, 1984

Present :

Shri N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 89 of 1981

Between

The Managing Director, The Trichur Wholesale Go-operative Gonsumers Stores Ltd. No. R. 239, Rice Bazar, Trichur-1

And.

The workmen of the above concern represented by the Secretary, The Trichur Wholesale Go-operative Consumers' Stores Employees' Association, Rice Bazar, Trichur-I

epresentations :—

Shri E. R. Abraham,
Advocate, Trichur-3. .. For *Managemen*

Shri K. V. K. Panicker,
Trade Union Leader, Trichur. .. For *Union*

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 1312/81/LBR dated 20-10-1981 is "Termination of employment of Sri A. D. Vareed."

2. Shri Vareed admittedly was a Salesman in the Management Co-operative Society. He was asked to retire on 12-7-1981 on the allegation that he had attained the age of 58 as per the records of the Society. The Society had maintained a service register in which his date of birth was entered as 13-7-1923 on the basis of a baptism certificate produced by him at the time of his entry in service in 1965. The complaint of the Union is that the date of birth of Shri Vareed is in 1925 as per the School Admission Register which could not be produced initially. The Management before which that certificate was produced refused to accept the same and correct the date of birth with ulterior motives and therefore it has to be found that Shri Vareed was due to retire only in July 1983. Consequential benefits on the basis of such a finding is what is sought for.

3. The Management in its written statement contends that the date of birth was recorded in the Service Register on the basis of an acceptable certificate produced by Shri Vareed himself and therefore the school certificate subsequently produced could not be preferred.

4. The Union had produced a series of documents which are the communications between the parties on the subject. The Management has produced the Service Book of Shri Vareed. Facts are not in dispute. Shri Vareed initially produced the baptism certificate in proof of his date of birth given by him. That was accepted and acted on by the Management. The baptism certificate produced admittedly relates to Shri Vareed. The school certificate which is not produced before me has an entry to the effect that Shri Vareed was born only in July 1925. There is no case that the school certificate does not relate to Shri Vareed. The question is as to which of these two certificates is to be preferred in deciding the age of Shri Vareed. When it is admitted that the baptism certificate really relates to Shri Vareed it cannot legitimately be complained that the date of birth shown in it has to be rejected as incorrect since the school certificate gives the date of birth as two years later. Baptism is a solemn ceremony performed soon after birth for which entries are simultaneously made in the Register maintained for that purpose by the Church. Admission to a school takes place much later. Then the date of birth is given by the guardian of the pupil from memory. There is possibility for an error in the date so furnished. There is no such chance in the case of baptism register since the baptism takes place soon after the birth. If we discard the baptism certificate in preference to the school register then we will have to accept an anomalous situation of Vareed having been baptised two years before his birth which certainly is impossible. In these state of affairs the baptism certificate on the basis of which the date of birth was recorded in the service book has to be preferred. That was what was done by the Management. So there was nothing wrong in directing Shri Vareed to retire on attainment of 58 years as per the Service Register. So there was no illegal or unlawful termination, but only a proper order to proceed on superannuation on the due date. Shri Vareed, therefore, is not entitled to any reliefs. An award is passed accordingly.

Ernakulam,
3-3-1984.

N. SUKUMARAN,
Presiding Officer.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O.(Rt.) No. 146/84/LBR. *Dated, Trivandrum, 3rd February 1984.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Secretary, Kathayee Cotton Mills Ltd., Alwaye and their workmen represented by the General Secretary, Alwaye Textile Employees Association (INTUC), Alwaye received by Government on 25-1-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A. S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Thursday, the 19th January, 1984

Present:

Shri N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 29 OF 1982

Between:

The Secretary, Kathayee Cotton Mills Ltd., Alwaye

And

The workmen of the above concern represented by the General Secretary, Alwaye Textile Employees Association (INTUC), Alwaye.

Representations:

M/s. B. S. Krishnan & George Poonthottam, Advocates, Ernakulam.	For *Management*
Shri P. V. Baby, Advocate, M/s. Thampan Thomas & Associates, Advocates, Cochin-11.	For *Union*

AWARD

The issue referred for adjudication by Government as per G.O. (Rt.) No.444/82/LBR dated 24-4-1982 is "Dismissal of Shri K.V.George".

II. Shri K.V.George was dismissed on the basis of the findings in a domestic enquiry that he is guilty of certain misconducts. The validity of the domestic enquiry was tried by me as a preliminary issue and I found as per my order dated 20-12-1983 that there was a valid and proper domestic enquiry. The findings of the Enquiry Officer were also confirmed. Facts which are relevant for the disposal of the case had been narrated in that order which I am reproducing here so as to make it a part of this award:—

"PRELIMINARY ORDER

Correctness of the dismissal of Shri K.V.George is the matter involved in this reference. Shri George was an employee of the Management Company. One of his relations Shri G.K.Varghese was enrolled as an apprentice under the Management Company. While he was undergoing apprenticeship he filed a complaint before the Management alleging that he was induced by Shri George to start as an apprentice stating that he may have attractive service conditions and that he will be made a permanent employee on the expiry of the apprentice period. Shri George had taken a bribe of Rs. 1500 from him to secure that job and he later realised that job is not attractive enough and therefore he may be permitted to nominate another person in his place or steps initiated for reimbursement of the money paid as bribe. On the basis of that complaint a show cause notice was issued to Shri George alleging that he had committed an offence under Standing Order 19 (c) of the Certified Standing Orders applicable to the establishment. Shri George in his explanation did not deny the allegation that he received the bribe but he said that there was an altercation between himself and Shri Varghese concerning an amount of Rs.500 that was donated by Shri Varghese towards the Temple Fund sponsored by the Company and therefore the complaint was raised to harass him. The explanation did not find favour with the Management and therefore a domestic enquiry was ordered. Shri V.K.Subramanian, Industrial Relations Officer of the Company was appointed as the enquiry officer. He conducted a domestic enquiry in which Shri George participated throughout. The Enquiry Officer found Shri George guilty of the misconduct. It was further held that Shri George had taken a similar bribe from Shri Pappachan, another apprentice also for securing an apprenticeship for him. Accepting the finding Shri George was dismissed.

2. In the charter of demands, copy of which is appended to the reference, it is alleged that the Industrial Relations officer who conducted the enquiry was not impartial and that his findings are perverse. The Management in its written statement contends that Shri Varghese was enrolled as an apprentice on the recommendation of Shri George and it was established in the domestic enquiry that Shri George had collected Rs. 1500 by

way of bribe for the recommendation. The Enquiry Officer was impartial and Shri George was given all opportunities to defend himself. The misconduct proved is very grave and therefore the appropriate punishment of dismissal was awarded. There are no resons to interfere with that punishment.

3. In the rejoinder filed before this court the Union while pleading innocence of the misconducts attributed to Shri George complains that he was not given sufficient opportunity to establish his innocence at the domestic enquiry. It is further stated that the findings of the Enquiry Officer are perverse. Reinstatement of Shri George with all benefits is claimed.

4. In view of the rival contentions concerning the validity of the domestic enquiry and the correctness of the findings it was proposed to consider that aspect as a preliminary issue. When the matter came up for that purpose it was conceded by the Union that the enquiry papers can .. marked without any oral evidence and the records contained there in c .. be accepted as genuine. So the file containing the relevant papers concerning the enquiry were marked as Ext. M1.

5. No victimisation of any sort is attributed to the Management. The Management initiated action on the basis of a complaint received from Shri Varghese who was an apprentice. Shri Varghese is the younger brother of Shri George's father-in-law. It is admitted that the parties are so related. The case that Shri Varghese was enrolled as an apprentice on the recommendation of Shri George is not disputed. A show cause notice was issued to Shri George giving the details of the complaint filed by Shri Varghese. He was asked to explain the situation. He filed his explanations in which he did not specifically deny the allegation that he had received the bribe. Naturally the Management was not satisfied with the explanation and therefore a domestic enquiry in the ordinary course was ordered. The Industrial Relations Manager conducted the domestic enquiry. There was no complaint from Shri George that the Industrial Relations Officer had any reason to be biased. The records also do not indicate that the Industrial Relations Officer was in any way partial or biased. Five witnesses were examined at the domestic enquiry of whom the first witness, an Officer of the Company, was examined only to prove the relevant documents. Shri Varghese gave evidence as the 2nd witness. Shri Kurian, elder brother of Shri Varghese was the 3rd witness. Shri Pappachan the other employee from whom also a bribe is said to have been collected by Shri George, was the 4th witness. Shri Pappachan is the son of Shri Kurian and that way the nephew of Shri Varghese. The last witness for the Management was an independent witness Shri Gopi. Witness Nos. 1 to 3 were not cross-examined by Shri George even though he was given an opportunity to cross-examine them. But he cross-examined witness Nos. 4 and 5 elaborately. The Management thus closed the evidence and the Enquiry Officer asked Shri George as to whether he has any defence evidence to which he answered in the negative. Thus the enquiry was closed and the findings of guilt rendered on the basis of the evidence collected.

6. These facts are evident from Ext. M1. There is no dispute regarding the correctness of matters recorded in Ext. M1.

7. The procedure adopted by the Enquiry Officer was not in violations of the principles of natural justice. The workman was given all opportunities in the enquiry to attempt to establish his innocence. There was no victimisation on the part of the management. So the enquiry was held properly.

8. The main complaint is that the findings are perverse. The allegation is that Shri George had collected a bribe of Rs. 1500 from Shri Varghese for recommending him as an apprentice. This allegation contained in the complaint of Shri Varghese narrated in the show cause notice was not denied at all in the explanation submitted. Witness Nos. 2 to 5 at the enquiry had given clear and convincing evidence that Shri George had collected Rs. 3,000 for recommending Varghese and Pappachan to the Company for enrolment of those two persons as apprentices. Witness Nos. 2 and 3 were not cross-examined. Probably there was no scope for cross-examination since Shri George had not denied the allegation that he had collected the money. The explanation offered in answer to the show cause notice and the attempt made at the enquiry was to show that Rs. 1002 (501 plus 501 for each of the two persons) was donated out of the amount collected to the Temple Fund sponsored by the Company. Sri Pappachan as the 4th witness had admitted in his evidence that two genuine receipts for Rs. 501 each was issued to them for such donations. On the basis of the admissions made by Shri Pappachan an argument is advanced that there was no question of any bribe but only a donation collected. But the admission of Shri Pappachan concerns only Rs. 501 collected from Shri Varghese an equal amount from him. But the evidence is that more amounts were paid and received. What is stated by the witnesses is that excess over Rs. 501 was collected by saying that it is to be disbursed among the Company Officials. There is no satisfactory explanation for the excess collection. So we have to proceed accepitng the situation that Shri George had collected Rs. 1500 from Shri Varghese and that he appropriated the substantial slice of the amount to himself.

9. There is a criticism for the Union that another person who interfered in this deal had not been examined as a witness. The suggestion is that the money must have been appropriated by that person. The person mentioned is none other than the father-in-law of Shri George. But even in the absence of the evidence of that person we have ample evidence to come to the conclusion that Shri George had appropriated money from Shri Varghese on the representation that it is to be utilised for securing the job. When there is sufficient evidence already on record the non-examination of one or more witnesses who are also in the know of relevant facts is not material at all.

10. Another argument is that the matter had been settled between the affected parties even before the conclusion of the enquiry and therefore the Management should not have proceeded with further action. Ext. M1 contains a submission made by Shri Varghese to the effect that the matter

had since been amicably settled between himself and Shri George and therefore he bas no further complains. But that development cannot improve the situation in any way since the misconduct had already been committed and the fact that a settlement was later arrived at between the complainant and Shri George who are near relations need not stand on tbe way of tbe Management proceeding with the disciplinary action which was already in progress. It cannot be said tbat Shri Varghese was the only affected party and the Management and its interests were not in any way involved. As a matter of fact money was collected as per the evidence on the representation that it is required for bribing the concerned officials of the company to secure the job. Thus the goodwill of the Company was also involved. So the Management had every right to proceed with the action already initiated even though the complainant was pursuaded to state that he has no more grievances.

11. From the evidence on record the only reasonable conclusion that could be reached is that Shri George had collected bribe from Shri Varghese for recommending him for appointment to the Management Company. So the finding to tbat extent is proper and calls for no intereference.

12. In tbe result it is hereby found that the finding of guilt rendered by tbe Enquiry Officer was properly arrived at in a validity conducted domestic enquiry."

III. Both sides were heard on the question as to whether the workman is entitled to any reliefs in the matter of punishment. The question is as to whether in the circumstances of tbis case Shri George is entitled to any reliefs in the matter of punishment as per Sec. 11-A of the Industrial Disputes Act. The proved misconduct is that Shri George had collected bribe on the representation that the money is intended to be passed over to responsible office bearers of the Company to secure appointments. It is in evidence that Shri George was able to secure appointments for two persons from whom he had collected the bribe. That shows that Shri George even though an ordinary worker was in the good books of the responsible officers of the Management Company. He had misused the confidence which was reposed in him and his action had in a way affected the goodwill of the Compay also. In these state of affairs it cannot be said that the proved misconduct is not serious enough to award the punishment of dismissal. I find no mitigating circumstances to award a punishment less serious than the dismissal. So the dismissal is only to be confirmed and I do so. In the result an award is passed confirming the dismissal of Shri K. V. George.

(Camp) Trichur,
19-1-1984.

N. SUKUMARAN,
Presiding Officer.

Appendix

Exhibit marked on the Management's side:—

Ext. M1. The file relating to the domestic enquiry.

GA. 222/J.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 276/84/LBR. *Dated, Trivandrum, 1st March, 1984.*

The award of the Labour Court, Ernakulam in respect of the dispute between Shri A.V. Rajendra Raja, (Manager, Rajendra Raja Cardamom Estate, Santhanpara P.O., Idukki), 239, Bhajana Matam Street, Chakkaraja Kotta, Puthupalayam, Rajapalayam P.O., Ramanathapuram District, Tamil Nadu and the workmen of the above estate represented by the Secretary, Malanadu Estate Workers Congress (Regd. No. 8/75, I.N.T.U.C.), Santhanpara P. O., Idukki received by Government on 24-2-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947, (Central Act XIV of 1947).

By order of the Governor,
A. S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Tuesday, the 21st February 1984

Present :

Shri N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

INDUSTRIAL DISPUTE No. 70 of 1983

Between

Shri A. V. Rajendra Raja, (Manager, Rajendra Raja Cardamom Estate, Santhanpara P.O., Idukki), 239, Bhajana Matam Street, Chakkaraja Kotta, Puthupalayam, Rajapalayam P. O., Ramanathapuram District, Tamil Nadu.

And

The workmen of the above estate represented by the Secretary, Malanadu Estate Workers Congress, (Reg. No. 8/75, I.N.T.U.C.), Santhanpara P.O., Idukki.

Representations :

Shri P. Narayanan Nair, Advocate, Alleppey. } For *Management*

Shri C. J. Joy, Advocate, Cochin-24. } For *Union*

AWARD

The issue referred for adjudication by Government as per G. O. (Rt.) No. 1326/83/LBR dated 21-11-1983 is the following:—

"Dismissal of the following workers—

1.	M. Marinadu	2.	S. Moni
3.	S. Meenakshisundaram	4.	Leeni Ammal
5.	M. Joythi	6.	R. Raju
7.	M. Selven	8.	R. Ramakkal
9.	R. Amalathai	10.	V. Ramasamy
11.	R. Manoharan	12.	R. Murukesan and
13.	R. Ponnusamy."		

2. Both sides entered appearance in response to the notice issued and filed the following settlement:—

"Petition filed by the parties to the above dispute.

(1) The parties to the above dispute has settled the matter in dispute as follows.

(a) The Union and the workmen concerned in the above dispute agrees to the dismissal of the 13 workmen and to leave the service.

(b) The management agrees to treat the dismissal as discharge and to pay the workmen Rs. 500 each which is equivalent to 15 days wages and one month's notice pay.

(c) The above amount shall be paid to workmen on their receipt attested by the Union representatives.

(2) The parties agree to file a joint petition before the Labour Court, Ernakulam to get the Industrial Dispute (I. D. No. 70 of 1983) out of files.

It is therefore most respectfully prayed that the Tribunal be pleased to accept the compromise and pass an Award accordingly."

Since the matter had been amicably settled an award can be passed in terms agreed above. Accordingly an award is passed as per the settlement extracted.

Ernakulam
21-2-1984.

N. Sukumaran,
Presiding Officer.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 149/84/LBR. *Dated, Trivandrum, 3rd February 1984.*

The award of the Labour Court, Kozhikode in respect of the dispute between the Managing Director, Bhavani Tea and Produce Co. Ltd., (Owners of Siruvani Group Estates), Nandagokul, R. S. Puram, Coimbatore-2, and their workmen represented by the Secretary, Attappady Plantation Workers Union, Mannarghat, Palghat District received by Government on 12-1-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A. S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

(Dated this the 28th day of November, 1983)

Present:

HAJEE P.A. SHAHUL HAMEED, B.A., B.L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 59/78

Between

The Managing Director, Bhavani Tea and Produce Co. Ltd., (Owners of Siruvani Group Estates), Nandagokul, R. S. Puram, Coimbatore-2. .. *Management*

And

The Secretary, Attappady Plantation Workers Union, Mannarghat, Palgbat District .. *Union*

Representation:

Sri M. Venugopal, Advocate, Trichur .. For *the Management*

AWARD

I. This Industrial Dispute was referred by the Government as per G.O.(Rt.) No. 934/78/L&H dated 31-5-1978 regarding the denial of employment to the 166 workers for adjudication. When this reference was received in this court, notices were issued to both parties.

2. The Secretary, Attappady Plantation Workers Union, Mannarghat filed a statement on behalf of workers No. 1 and 2. In the statement, it is stated that these two workers were working in the Estate for 25 years and 20 years respectively. On 13-6-1970 when they went for work, the Superintendent of estate denied work to them. Inspite of repeated demands made by them, the management denied employment to them. A conciliation proceedings was initiated but the management did not co-operative with the Conciliation Authorities. The management have denied employment to them without assigning any valid reasons.

3. The Secretary, Attappady Plantation Workers' Union filed a statement for the workers No. 3 and 4. The Attappady Plantation Workers Union filed a Claim petition before the Minimum Wages Authority, Calicut in which son of a worker was prepared to depose in favour of the Union. The estate authorities requested the workers to dissuade this son from deposing. Since they were not amenable for the request of the management, the management denied employment to worker No. 3 from 1st March, 1976 onwards and worker No. 4 from 1st November, 1975 onwards. On 27-11-1975 a notice was served on worker No. 4 stating that he was terminated from service due to old age. Hence they pray that they may be reinstated.

4. On behalf of worker No. 5 and 144, the Secretary of the Union filed a statement, stating that the workers are in service for 25 years and 5 years respectively and they were denied employment on 15-1-1976 without assigning any valid reasons. When they questioned about the denial of employment, they were told that they were transferred to another estate belonging to the management situated 14 miles away from the present estate and a notice was issued to them. When they approached the Superintendent of Varadimala Estate with that notice, the Superintendent stated that he had not received any notice. Hence they prays that they may be reinstated in service.

5. The union filed another statement on behalf of the workers No. 6, 19 to 57. In the statement, he has stated that the workers having service from 10 to 20 years under the estate. They have filed a petition before the Minimum Wages Authority for getting minimum wages. It has been numbered as M.C.P. 18/74 and the management received a notice from the Minimum Wages Authority. They were denied employment from 1974 onwards and recruited fresh employees. Hence they prays that they may be reinstated in service.

6. On behalf of worker No. 115, the union filed a statement. In the statement filed by the union, it is stated that the management denied employment to the worker No. 115 from 1976. When he questioned about that it was stated that the father of the worker refused to accept the transfer order given to him and demanded them to vacate the paddy occupied by them and then only they will be given employment. When he approached the estate Superintendent of Varadimala Estate, he has stated that no order has been received by him.

7. On behalf of worker No. 149, the union filed a statement stating that the management denied employment to the workers from 8-10-1974 without assigning any valid reasons.

8. On behalf of workers No.110, 111 & 112, the union filed a statement, in which it is stated that they were denied employment from 28-3-1977 without assigning any valid reasons. They were also told that they were transferred to Varadimala Estate. When they approached the Superintendent of the Varadimala Estate, he has stated that no order has been received by him.

9. On behalf of workers No. 15 and No. 58, the union filed a statement stating that worker Subramaniyan was working in the Estate for the last 20 years and the worker Padmavathy was working in the estate for the last 2 years and they were denied employment by the estate from 15-1-1976 and 2-2-1977, respectively without assigning any valid reasons.

10. On behalf of worker No. 149 filed two statements.

11. The management filed a statement. In the statement, it is stated that out of a list of 91 persons prepared by the Plantation Inspector, Nemmara, the management and the union have approved only those who were not involved in any of the case pending before the High Court. Out of 51 persons on whose behalf the claim statements have been filed by the Union. 39 are involved in the minimum wages case that is pending before the Minimum Wages Authority, the Deputy Labour Commissioner, Kozhikode. They are numbers 6, 19 to 53 and 55 to 57 as mentioned in the order of reference. The name of worker No. 41, the statement filed by the union is Ramathal and the name of worker No. 44 is not correct. Name of worker No. 52 is also not correct. The correct name as Selvi. Amongst the 51 persons on whose behalf, the statements have been filed 27 have informed the management that they have no grievances and they are not interested in this dispute. Those 27 persons are Nos. 22, 23, 25, 26, 29 to 34, 37, 39 to 48, 50 to 52, 56, 57 and 111. The management is bound to give continuous work only to the permanent employees. Worker Nos. 1, 2, 5, 15, 54, 58, 110, 111, 112, 115, 144 and 149 are casual employees. The length of service mentioned in the statement relating to Nos. 1 and 2 is false and denied. The worker Nos. 5 and 144 refused to go to Varadimalai when work was available there. The worker No. 149 filed two statements. The statement made by her, in the two statements is not correct. The management has not denied employment to Elizabeth, worker No. 149. Similarly the allegations in the statement filed by worker Nos. 15 and 58 is wrong and denied. The management has not adopted any unfair methods. The statement made by the union that the workers are entitled for reinstatement with continuity of service cannot be entertained.

12. A rejoinder is filed by the Union, denying the allegations made in the statement filed by the management.

13. M.P.No. 201/79 is filed to correct the names of worker Nos. 42, 44 and 52. That was allowed by my predecessor in office.

14. On 20-10-1983, when the case came up before me at Palghat Camp, the union and the workers were absent. The counsel for management was present. I heard the counsel for management. No evidence has been let in by the union. The statement filed by the management is admitted. On behalf of other workers, the union have not filed any statement. The management has stated in the statement filed by them that 27 workers have informed the management that they have no grievance and they are not interested in this dispute. Those 27 workers are Nos. 22, 23, 25, 26, 29 to 34, 37, 39 to 48, 50 to 52, 56, 57 and 111. Hence they are concerned only with numbers, 1, 2, 5, 15, 54, 58, 110, 111, 112, 115, 144 and 149. 12 persons mentioned above are casual employees. The length of service claimed on behalf of worker Nos. 1 and 2 are wrong. They refused to go to Varadimalai Estate when work was available there. The management has admitted that they have not denied employment to the worker No. 149. The worker Nos. 110 to 112 has also refused to go to Varadimalai Estate. Hence I pass an award holding that the workers mentioned in the statement filed by the management are permanent workers who had no grievance against the estate and all other workers are not entitled for reinstatement.

15. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 28th day of November, 1983.

HAJEE P. A. SHAHUL HAMEED,
Presiding Officer,
Labour Court, Kozhikode.

Kerala Gazette No. 27 dated 3rd July 1984.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 153/84/LBR. *Dated, Trivandrum, 3rd February* 1984.

The award of the Labour Court, Kozhikode in respect of the dispute between the Co-owner, Manamel Plantations, Mooriyad, Chalappuram P.O., Kozhikode and their workman Sri K. C. George, Compounder, Kollanparambil House, Puthuppady P.O., Kozhikode received by Government on 12-1-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A.S.Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

(Dated this the 30th day of November, 1983)

Present

Hajee P. A. SHAHUL HAMEED, B.A., B. L.

Presiding Officer

In

INDUSTRIAL DISPUTE No. 4/79

Between

The Co-owner, Manamel Plantations, Mooriyad, Chalappuram P.O., Kozhikode } *Management*

And

Sri K.C.George, Compounder, Kollanparambil House, Puthuppady P.O., Kozhikode } *Workman*

Representations:—

Sri Joseph Jacob, Advocate, Calicut } For *the Management*

Sri K.P. Damodaran Nambiar, Advocate, Calicut } For *the Workman*

CA. 236/J.

AWARD

1. This Industrial Dispute was referred by the Government as per G.O. (Rt.) No. 125/79/L&H dated 20-1-1979 regarding the denial of employment to Sri K. C. George, Compounder with effect from 30-11-1976 for adjudication. When this reference was received in this court, notices were issued to both parties.

2. Workman filed a statement, stating that Sri M.C. Pothan was running a dispensary at Puduppady. The plantation workers of Manamal Plantation, Amalgamated Malabar Estate and the Indian Timber and Plywood Corporation were receiving medical aid from this dispensary. He was appointed as the Compounder in the dispensary on 1-1-1965 on a consolidated salary of Rs. 150 per month. One of the conditions of appointment was that he was bound to serve in any one of the estates owned by Sri M. C. Pothan and his brothers. The benefits given to the Compounders by way of increased wages was never given to him by the management in spite of repeated demands. He has filed a claim petition for recovery of this amount before this court and the same is now pending. The management has refused employment to him with effect from 13-11-1976. The reason state by the management for refusing employment is that the estate dispensary is being handed over to Malabar Diocese Medical Mission. He was denied employment without any justification. The action of the management is opposed to law. Hence he prays that he may be reinstated in service with all benefits.

3 The management filed a counter-statement. In the counter-statement it is stated that the workman was employed as a Compounder of St. George Dispensary at Puduppadi. The workman's claim that he has a right to serve in any one of the estates owned by Sri M.C. Pothen and his brothers is impractical and unsustainable. The workman has been paid all amounts which are due to him. It is not true that the workman's services were terminated with effect from 13-11-1976 because of his persistent demand for wages. By the end of 1976 it was found that running and maintaining St. George Hospital was uneconomical and it was decided to hand over the same to Malabar Diocese Medical Mission with effect from 13-11-1976. The employment of the workman was retrenched for valid reasons and in accordance with the provisions of law. There was no illegal denial of employment. The workman Sri K.C.George was retrenched from serve with effect from 30-11-1976 after offering all amounts due to him as per law vide Retrenchment Notice dated 26-11-1976. The retrenchment has been made in accordance with law. It is stated that the workman is now owning a Medical Shop-cum-Dispensary at Kaithapoyil under the name and style 'Janatha Pharmacy, Hence the workman cannot at any rate claim for reinstatement with backwages.

4. No rejoinder is filed by the workman.

5. The point to be decided is whether there is denial of employment to K.C. George, Compounder with effect from 30-11-1976.

6. *Point*:—The worker was examined as WW1 and one document was marked as Ext. W1. On behalf of the management, one document was marked as Ext. M1. Worker when examined has stated that he was the Compounder of Manamel Plantations Dispensary. He was appointed in 1963 There are two other estates also for the management and nearly 1000 labourers are working there. The owners of the estate are M.C. Pothen and his brothers. He is not in the possession of appointment order. Ext. W1 is the Photostat copy of the appointment order of P. C. Mathai. He has been denied employment on 13-11-1976, stating that the dispensary has been entrusted to the Machinerics. According to him, even though the hospital has entrusted to the Machineries, it is still under the control of the management. In cross-examination he states that M.C. Pothen has appointed him as Compounder of Manamel Plantations."

"എനിക്ക് എം. സി പോത്തൻ മണമ്മൽ പ്ലാന്റേഷനിലുള്ള ഡിസ്പെൻസറി കൂറേണ്ടിയാണ് അപ്പോയ്മെന്റ് ഓർഡർ തന്നത്". He has filed this case for getting employment in the dispensary situated at Manamel Plantations. Manamel Plantations has been sold away in 1978.

13-11-1976-ൽ ഈ ഡിസ്പെൻസറി മലബാർ മെഡിക്കൽ മിഷ്യന് ഏൽപ്പിച്ചു കൊടുത്തു. അതിനെ തുടർന്നാണ് എസ്റ്റേററിൽനിന്ന് റിട്രെഞ്ച് ചെയ്തു എന്ന് പറയുന്നത് ശരിയല്ല. റിട്രെഞ്ചുമെന്റ് ഓർഡറിന്റെ കടലാസ് എനിക്ക് കിട്ടിയിട്ടുണ്ട്. അതിന്റെ കോപ്പിയാണ് എക്സിബിററ് എം 1. എക്സിബിററ് എം 1-ന്റെ ഒറിജിനൽ എനിക്ക് കിട്ടിയിട്ടുണ്ട്.

He has filed C.P. 26/78 in this court. That was dismissed. In that C.P. he has been examined at that, time he has stated that the hospital has been entrusted to the Medical Mission. This is the evidence adduced by the worker in short. It is clearly admitted by the worker that the dispensary which he was working was entrusted to the Medical Mission in 1976 and Ext. M1 is the copy of the Retrenchment Order issued to him from 30-11-1976 onwards. Hence I hold that there is no denial of employment to Sri K.C. George, Compounder, with effect from 30-11-1976.

6. Hence I pass an award holding that there is no denial of employment to Sri K.C. George, Compounder, with effect from 30-11-1976

7. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised corrected and passed by me on the 30th day of November, 1983.

HAJEE P.A. SHAHUL HAMEED,
Presiding Officer,
Labour Court, Kozhikode.

Appendix

Witnesses examined on the side of the Workman:—

WW1 Sri K.C.George

Documents marked on the side of the Workman:—

Ext. W1 Photostat copy of the appointment order issued to P.C. Mathai

Witness examined on the side of the Management:—Nil

Documents marked on the side of the Management:—

Ext. M1 Retrenchment Notice issued to K.C. George dated 26-11-1976.

217002

Kerala Gazette No. 27 dated 3rd July 1984
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 237/84/LBR. *Dated, Trivandrum, 20th February 1984.*

The award of the Labour Court, Kozhikode in respect of the dispute between Sri K. Thulasidasan, 'Theras', Balsom & Company, Calicut-18 and Sri O.G. Thankappan, Deepalayam, P.O. Neezhoor, Kottayam received by Government on 7-2-1984 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
A.S. Moni Achari,
Deputy Secretary to Government.

In the Labour Court, Kozhikode, Kerala State

(Dated this the 27th day of January, 1984)

Present:

HAJEE P.A. SHAHUL HAMEED, B.A., B.L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 42/82

Between:

Sri K. Thulasidasan, 'Theras', Balsom & Company, Calicut-18. } *Management*

And

Sri O.G. Thankappan, Deepalayam, P.O. Neezhoor, Kottayam. } *Workman*

Representation:

Sri P.V. Thomas, Advocate, Calicut. } For *the Workman*

AWARD

1. This Industrial Dispute was referred by the Government as per G.O. Rt. No. 981/82/LBR dated 15-9-1982 regarding the denial of employment to Sri O.G. Thankappan, Salesman for adjudication. When the reference was received in this court, notices were issued to both parties. A registered notice was served to the management but it was returned as unserved with the remarks as no such address. Paper publication was also affected.

2. On 23-1-1984, the workman filed a statement stating that he was a permanent worker as Salesman in Kadungalloor Toddy Shop No. 22 of Manjeri Range and his service was terminated by a letter dated 7-12-1981 by the Contractor Thulaseedharan in the letter head of Theras Balsom & Company, Calicut-18. The reason for the termination was that he was a witness to a complaint submitted by another worker Neelakandan regarding some allegations against the Manager. He filed a petition to the District Labour Officer, Malappuram and claimed Rs. 600 as arrears of salary, bonus and reinstatement. No action was taken by the District Labour Officer. He filed O.P. 1561/82 in the High Court. On the basis of the judgement in O.P. 1561/82 the District Labour Officer issued notice to the worker and the management to appear before him on 15-4-1982 but the employer has not appeared. Another notice was issued to the employer directing him to appear on 28-4-1982. The employer has not appeared for the above conference also. The Regional Joint Labour Commissioner has issued notice for a conference on 1-6-1982 but then also the employer has not appeared. He was working as a Salesman in Kadungalloor T.S. No. 22 in Manjeri Range with a salary of Rs. 550 and 18% bonus. Hence he prays that he may be reinstated as a worker in Toddy Shop No. 22 at Kadungalloor in Manjeri Range with backwages and continuity of service and Rs. 600 as arrears of salary till 7-12-1981.

3. The management was declared ex-parte. The worker was examined as WW1 and 4 documents were marked as Ext. W1 to W4. In view of his uncontradicted evidence the denial of employment cannot be upheld as justifiable. Therefore, he is entitled to reinstatement. Hence I pass the award holding that the denial of employment to the workman is not proper and valid. Therefore, he is entitled to reinstatement with backwages and continuity of service.

4. This award will come into force 30 days after its publication in the Official Gazette.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 27th day of January, 1984.

Labour Court, Kozhikode.

HAJEE P.A. SHAHUL HAMEED,
Presiding Officer.

Appendix

Witness examined on the side of the Workman:

WW1 .. O.G. Thankappan.

Documents marked on the side of the Workman:

Ext. W1. Al-ameen daily dated 8-11-1983.

Ext. W2. Dismissal Order.

Ext. W3. Notice of Ernad Taluk Madhyavyavasaya Thozhilali Union, (CITU).

Ext. W4. Receipt No. 527 of the Union.

Witnesses examined and documents marked on the side of the Management:—Nil

Kerala Gazette No. 27 dated 3rd July 1984.

PART I

കേരള സർക്കാർ

റവന്യൂ (എഫ്) വകുപ്പ്

വിജ്ഞാപനം

ജി.ഒ. (എം.എസ്.) നമ്പർ 610/84/ആർഡി.

തിരുവനന്തപുരം, 1984 ജൂൺ 19.

കൊല്ലം ജില്ലയിൽ പത്തനാപുരം താലൂക്കിൽ അഞ്ചൽ വില്ലേജിനെ സംബന്ധിച്ച് 28-9-1956-ലെ തിരുവിതാംകൂർ-കൊച്ചി ഗവൺമെൻറ് ഗസററിൽ 54 മുതൽ 57 വരെ പുറങ്ങളിൽ 4-9-1956-ലെ എൽ. ആർ. ബി. 2-2117/54 റവന്യൂ നമ്പരായി പ്രസിദ്ധം ചെയ്തിട്ടുള്ള വിജ്ഞാപനത്തിന് താഴെ വിവരിക്കുംപ്രകാരം ഭേദഗതി വരുത്തിയിരിക്കുന്നു.

അഞ്ചൽ മാതൃവില്ലേജിൽപ്പെട്ട, ടി വില്ലേജിന്റെ പുനഃസംഘടനയെ തുടർന്ന് കുളത്തൂപ്പുഴ വില്ലേജിൽ ഉൾപ്പെട്ടു കിടക്കുന്നതും 65 സെൻറ് വിസ്തീർണ്ണമുള്ളതുമായ 822/1/1 ബി (0.50 സെൻറ്), 822/1/19 (0.16 സെൻറ്) എന്നീ സർവ്വേ നമ്പരുകൾ ഏരൂർ വില്ലേജിലേയ്ക്ക് ഈ വിജ്ഞാപനം പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ മാററിയിരിക്കുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവിൻപ്രകാരം,

സരളാ ഗോപാലൻ,

ഗവൺമെൻറ് സെക്രട്ടറി.

G. 944

the production and distribution at fair prices of different varieties of cloth and yarn so as to subserve the interests of the general public;

AND WHEREAS acquisition by the Central Government of the said undertakings is necessary to enable it to invest such large sums of money;

AND WHEREAS, pending the acquisition of the said undertakings, it is expedient in the public interest to take over the management of the said undertakings;

BE it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(*1*) This Act may be called the Textile Undertakings (Taking Over of Management) Act, 1983.

(2) It shall be deemed to have come into force on the 18th day of October, 1983.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date on which this Act comes into force;

(b) "Custodian" means the person appointed under section 4 to take over the management of the undertakings;

(c) "notification" means a notification published in the Official Gazette;

(d) "textile undertaking" or "the textile undertaking" means an undertaking specified in the second column of the First Schedule;

(e) "textile company" means a company [being a company as defined in the Companies Act, 1956 (1 of 1956)] specified in the third column of the First Schedule, as owning the undertaking specified in the corresponding entry in the second column of that Schedule;

(f) words and expressions used herein and not defined but defined in the Companies Act, 1956 (1 of 1956), shall have the meanings respectively assigned to them in that Act.

CHAPTER II

TAKING OVER OF THE MANAGEMENT OF CERTAIN TEXTILE UNDERTAKINGS

3. *Management of certain textile undertakings to vest in the Central Government.*—(1) On and from the appointed day, the management of all the textile undertakings shall vest in the Central Government.

(2) The textile undertaking shall be deemed to include all assets, rights leaseholds, powers, authorities and privileges of the textile company in relation to the said textile undertaking and all property, movable and immovable, including lands, buildings, workshops, projects, stores, spares,

instruments, machinery, equipment, automobiles and other vehicles, and goods under production or in transit, cash balances, reserve fund investments and book debts and all other rights and interests in or arising out of such property as were, immediately before the appointed day, in the ownership possession, power or control of the textile company whether within or outside India and all books of account, registers and all other documents of whatever nature relating thereto.

(3) Any contract, whether express or implied, or other arrangement, in so far as it relates to the management of the business and affairs of the textile undertaking and in force immediately before the appointed day, or any order made by any court in so far as it relates to the management of the business and affairs of the textile undertaking and in force immediately before the appointed day shall be deemed to have terminated on the appointed day

(4) All persons in charge of the management, including persons holding offices as directors, managers or any other managerial personnel, of the textile company in relation to the textile undertaking, immediately before the appointed day, shall be deemed to have vacated their office as such on the appointed day.

(5) Notwithstanding anything contained in any other law for the time being in force no person in respect of whom any contract of management or other arrangement is terminated by reason of the provisions contained in subsection (3), or who ceases to hold any office by reason of the provisions contained in subsection (4), shall be entitled to claim any compensation for the premature termination of the contract of management or other arrangement or for the loss of office, as the case may be.

(6) Notwithstanding any judgement, decree or order of any court, tribunal or other authority or anything contained in any other law (other than this Act) for the time being in force, every receiver or other person in whose possession or custody or under whose control the textile undertaking or any part thereof may be immediately before the appointed day, shall, on the commencement of this Act, deliver the possession of the said undertaking or such part thereof, as the case may be, to the Custodian or where no Custodian has been appointed, to such other person as the Central Government may direct.

(7) For the removal of doubts, it is hereby declared that any liability incurred by a textile company in relation to the textile undertaking before the appointed day shall be enforceable against the concerned textile company and not against the Central Government or the Custodian.

4. *Custodian of the textile undertakings.*—(1) The Central Government may, as soon as it is convenient administratively so to do, appoint any person or body of persons (including a Government company, whether in existence at the commencement of this Act or incorporated thereafter) as Custodian of the textile undertaking for the purpose of carrying on the management of such undertaking and the Custodian so appointed shall carry on the management of the textile undertaking for and on behalf of the Central Government.

(2) On the appointment of a Custodian under subsection (1), the management of the textile undertaking shall vest in such Custodian and all persons in charge of the management of such undertaking immediately before such appointment shall cease to be in charge of such management and shall be bound to deliver such management to the Custodian.

(3) The Central Government may, by notification, authorise the Custodian to appoint any person (including a Government company, whether in existence at the commencement of this Act or incorporated thereafter) as the Additional Custodian of the textile undertaking.

(4) The Additional Custodian shall assist the Custodian in the exercise of his or its powers and duties under this Act and shall function under the direction, supervision and control of the Custodian, and the Custodian may delegate to the Additional Custodian all or such of his or its powers as he or it may think fit.

(5) Subject to any general or special direction given or condition imposed by the Custodian, any person authorised by the Custodian to exercise any power may exercise that power in the same manner and with the same effect as if it had been conferred on that person directly by this Act and not by way of authorisation.

(6) The Central Government may issue such directions (including directions as to initiating, defending or continuing any legal proceedings before any court, tribunal or other authority) to the Custodian as to his or its powers and duties as the Central Government deems to be desirable in the circumstances of the case, and the Custodian may also apply to the Central Government at any time for instructions as to the manner in which he or it shall conduct the management of the textile undertaking or in relation to any other matter arising in the course of such management.

(7) Subject to the other provisions of this Act and the control of the Central Government, the Custodian shall be entitled, notwithstanding anything contained in the Companies Act, 1956 (1 of 1956), to exercise all the powers, in relation to the textile undertaking, of the Board of Directors of the textile company (including the power to dispose of any properties or assets of the textile company) whether such powers are derived from the Companies Act, 1956, or from the memorandum and articles of association of the concerned textile company or from any other source

(8) Every person having possession, custody or control of any property forming part of the textile undertaking shall deliver forthwith such property to the Custodian or to any officer or other employee of the Central Government or the Custodian, as may be authorised by the Central Government or the Custodian in this behalf.

(9) Any person who, on the appointed day has in his possession or under his control any books, papers or other documents relating to the textile undertaking the management of which has vested in the Central

Government under this Act, shall, notwithstanding anything contained in any other law for the time being in force, be liable to account for the books, papers and other documents (including such minutes books, cheque books, letters, memoranda, notes or other communications) to the Custodian and shall deliver them up to the Custodian or to any such person (being an officer or other employee of the Central Government or the Custodian) as may be authorised by the Central Government or the Custodian in this behalf.

(10) Every person in charge of the management of any textile undertaking immediately before the appointed day shall, within ten days from that day or within such further period as the Central Government may allow in this behalf, furnish to the Custodian a complete inventory of all the properties and assets (including particulars of book debts and investments and belongings) forming part of the undertaking immediately before the appointed day and of all the liabilities and obligations of the textile company in relation to the undertaking, subsisting immediately before that day, and also of all agreements entered into by such textile company in relation to the undertaking and in force immediately before that day.

(11) The Custodian and the Additional Custodian shall receive from the funds of the textile undertakings such remuneration as the Central Government may fix.

5. *Payment of amount.* – (1) Every textile company shall be given by the Central Government an amount, in cash, and at the rate specified in subsection (2), for the vesting in it, under section 3, of the management of of the textile undertaking of the company.

(2) For every month during which the management of the textile undertaking remains vested in the Central Government under this Act, the amount, referred to in subsection (1), shall be computed—

(i) for a spinning unit, at the rate of fifty paise per 1,000 spindles or any part thereof;

(ii) for a weaving unit, at the rate of one rupee per 100 looms or any part thereof;

(iii) for a composite unit with or without dye-house at the rate of fifty paisa per 1,000 spindles or any part thereof plus one rupee per 100 looms plus one paisa per 10,000 metres of cloth processed in the dye-house based on the average monthly production during the period of three years immediately preceding the appointed day;

(iv) for a wholly processing unit (being a unit which does not have any spindle or loom), one paisa per one thousand square metres or any part thereof of the average of the total quantity of textiles processed during the period of three years immediately preceding the appointed day in such unit,

CHAPTER III

POWER TO PROVIDE RELIEF TO THE TEXTILE UNDERTAKINGS

6. *Power of the Central Government to make certain declarations in relation to certain textile undertakings.*—(1) The Central Government may, if satisfied, in relation to any of the textile undertakings or any part thereof, the management of which has vested in it under this Act, that it is necessary so to do in the interests of the general public with a view to preventing any fall in the volume of production of such undertaking, by notification, declare that—

(a) all or any of the enactments specified in the Second Schedule shall not apply or shall apply with such adaptations, whether by way of modification, addition or omission (which does not, however, affect the policy of the said enactments) to such undertaking as may be specified in such notification, or

(b) the operation of all or any of the contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force (to which such textile undertaking or the textile company owning such undertaking is a party or which may be applicable to such textile undertaking or textile company) immediately before the date of issue of the notification shall remain suspended or that all or any of the rights, privileges, obligations and liabilities accruing or arising thereunder before the said date, shall remain suspended or shall be enforceable subject to such adaptations and in such manner as may be specified in the notification.

(2) The notification made under subsection (1) shall remain in force, in the first instance, for a period of one year but the duration of such notification may be extended from time to time by a further notification by a period not exceeding one year at a time:

Provided that no such notification shall, in any case, remain in force after the expiry of three years from the commencement of this Act.

(3) Any notification made under subsection (1) shall have effect notwithstanding anything to the contrary contained in any other law, agreement or instrument or any decree or order of a court, tribunal, officer or other authority or in any submission, settlement or standing order.

(4) Where by virtue of a notification under clause (b) of sub-section (1), any right, privilege, obligation or liability remains suspended or is enforceable subject to the adaptations and in the manner specified in the notification, all proceedings relating thereto pending before any court, tribunal, officer or other authority shall accordingly remain stayed or be subject to such adaptations, as the case may be; so however, on the notification ceasing to have effect—

(a) such right, privilege, obligation or liability shall be enforceable as if the notification had never been made;

(b) any proceeding so remaining stayed shall be proceeded with subject to the provisions of any law which may be then in force, from the stage which had been reached when the proceeding became stayed.

(5) In computing the period of limitation for the enforcement of any right, privilege, obligation or liability referred to in clause (b) of subsection (1), the period during which, it or the remedy for the enforcement thereof remained suspended shall be excluded.

CHAPTER IV

MISCELLANEOUS

7. *Act to have over riding effect.*—The provisions of this Act or any notification, order or rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any law (other than this Act) or in any instrument having effect by virtue of any law other than this Act or in any decree or order of any court.

8. *Application of Act* 1 *of* 1956.—(1) So long as the management of the textile undertaking of a textile company remains vested in the Central Government under this Act, notwithstanding anything contained in the Companies Act, 1956 or in the memorandum or articles of association of such company,—

(a) it shall not be lawful for the shareholders of the textile company or any other person to nominate or appoint any person to be a Director of such textile company in relation to such undertaking;

(b) no resolution affecting (whether directly or indirectly) such undertaking which is passed at any meeting of the shareholders of the textile company on or after the appointed day shall be given effect to unless approved by the Central Government;

(c) no proceeding for the winding up of the textile company or for the appointment of a liquidator or receiver in respect thereof shall lie in any court except with the consent of the Central Government.

(2) Subject to the provisions contained in subsection (1), and to the other provisions contained in this Act and subject to such other exceptions, restrictions and limitations, if any, as the Central Government may by notification, specify in this behalf, the Companies Act, 195 (1 of 1956) shall continue to apply to the textile companies in the same manner as it applied thereto before the appointed day.

9. *Exclusion of period of operation of this Act from limitation.*—(1) In computing the period of limitation prescribed by any law for the time being in force for any suit or application against any person by any of the textile companies in respect of any matter arising out of any transaction in relation to its textile undertaking, the time during which this Act remains in force shall be excluded.

10. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against the Central Government or the custodian or the Additional Custodian or any officer or other employee of the Central Government or the Custodian for anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or the Custodian or the Additional Custodian or any of the officers or other employees of the Central Government or the Custodian for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act,

11. *Contracts, etc., in bad faith may be cancelled or varied.*—(1) If the Central Government is satisfied, after such inquiry as it may think proper, that any contract or agreement entered into at any time within three years immediately proceeding the appointed day between any of the textile companies or managing or other director of any such textile company and any other person in relation to any service, sale or supply to, or by, its textile undertaking and in force immediately before the appointed day, has been entered into in bad faith, or is detrimental to the interests of the textile undertaking of the concerned textile company, it may make, within one hundred and eighty days from the appointed day, an order cancelling or varying (either unconditionally or subject to such conditions as/ it may think fit to impose) such contract or agreement and thereafter the contract or agreement shall have effect accordingly :

Provided that no contract or agreement shall be cancelled or varied except after giving to the parties to the contract or agreement a reasonable opportunity of being heard.

(2) Any person aggrieved by an order made under subsection (1) may make an application to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the registered office of the concerned textile company is situated for the variation or reversal of such order and thereupon such court may confirm, modify or reverse such order.

12. *Avoidance of voluntary transfers.*—Any transfer of property, movable or immovable, or any delivery of goods made by or on behalf of any of the textile companies (not being a transfer or delivery made in the ordinary course of its business or in favour of a purchaser for valuable consideration and in good faith), if made within a period of six months immediately preceding the appointed day, shall be void against the Central Government or the Custodian, as the case may be.

13. *Power to terminate contracts of employment.*—If the Custodian is of opinion that any contract of employment entered into by any textile company or managing or other director of the company in relation to its textile undertaking at any time before the appointed day is unduly onerous, he or it may, by giving to the employee one month's notice in writing or salary or wages for one month in lieu thereof, terminate such contract of employment.

14. *Penalties.*—(1) Any person who,—

(a) having in his possession or custody or under his control any property forming part of any of the textile undertakings, wrongfully withholds such property from the Custodian or any person authorised under this Act, or

(b) wrongfully obtains possession of any such property, or

(c) wilfully retains any property forming part of such textile undertaking or removes or destroys it, or

(d) wilfully withholds from, or fails to deliver to, the Custodian or any person authorised under this Act, any books, papers or other documents relating to such textile undertaking which may be in his possession, power or custody or under his control, or

(e) fails, without any reasonable excuse, to furnish information or particulars as provided in section 4,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

(2) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Central Government or an officer authorised by that Government in this behalf.

15. *Offences by Companies.*—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this subsection shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge and that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in subsection (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

16. *Power to make rules.*—(1) The Central Government may, by notification, make rules for carrying out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

17. *Repeal and saving.*—(1) The Textile Undertakings (Taking Over of Management) Ordinance, 1983 (10 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

THE FIRST SCHEDULE

[*See* section 2 (d) and (*e*)]

Sl. No.	*Name of the undertaking*	*Name of the owner*
(1)	(2)	(3)
1	Elphinstone Spinning and Weaving Mills Elphinstone Road, Bombay.	The Elphinstone Spinning and Weaving Mills Co. Ltd. Kamani Chambers, 32, Ramji Bhai Kamani Marg, Bombay-38.
2	Finlay Mills, 10/11, Dr. S. S. Rao Road, Bombay.	The Finlay Mills Ltd., Chartered Bank Building, Fort, Bambay-23.
3	Gold Mohur Mills, Dadasaheb Phalke Road, Dadar, Bombay	The Gold Mohur Mills Ltd., Chartered Bank Building, Fort, Bombay-23.
4	Jam Manufacturing Mills, Lalbaug, Parel, Bombay.	The Jam Manufacturing Co. Ltd., Lalbaug, Parel, Bombay-12.
5	Kohinoor Mills (No. 1), Naigaum Cross Road, Dadar, Bombay.	The Kohinoor Mills Co. Ltd., Killick House, Charanjit Rai Marg (Home Street), Fort, Bombay-1.
6	Kohinoor Mills (No. 2), Naigaum Cross Road, Dadar, Bombay.	The Kohinoor Mills, Co. Ltd., Killick House, Charanjit Rai Marg (Home Street), Fort, Bombay-1.

(1)	(2)	(3)
7	Kohinoor Mills (No. 3), Lady Jamshedji Road, Dadar, Bombay.	The Kohinoor Mills Co. Ltd., Killick House, Charanjit Rai Marg (Home Street), Fort, Bombay-1.
8	New City of Bombay Manufacturing Mills, 63, Tukaram B. Kadam Marg, Bombay.	The New City of Bombay Manufacturing Co. Ltd., 63, Tukaram Bhaaji Kadam Path, Bombay-33.
9	Podar Mills, N. M. Joshi Marg, Bombay.	The Podar Mills Ltd., Podar Chambers, Syed Abdulla Brelvi Road, Fort, Bombay-1.
10	Podar Mills (Process House), Ganpat Rao Kadam Marg, Bombay.	The Podar Mills Ltd., Podar Chambers, Syed Abdulla Brelvi Road, Fort, Bombay-1.
11	Shree Madhusudan Mills, Pandurang Budhkar Marg, Bombay.	Shree Mudhusudan Mills Ltd., 31, Chowringhee Road, Calcutta-16.
12	Shree Sitaram Mills, N. M. Joshi Marg, Bombay.	Shree Sitaram Mills Ltd., N. M. Joshi Marg, Bombay-11.
13	Tata Mills, Dr. Ambedkar Road, Dadar, Bombay.	The Tata Mills Ltd., Bombay House, 24, Homi Mody Street, Fort, Bombay-23.

THE SECOND SCHEDULE

(*See* section 6)

1. The Industrial Employment (Standing Orders) Act, 1946 (20 of 1946)
2. The Industrial Disputes Act, 1947. (14 of 1947)
3. The Minimum Wages Act, 1948. (11 of 1948).

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 6324/Leg.Pbn.2/84/Law. *Dated, Trivandrum,* 30*th April* 1984.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II—Section 1, dated the 26th December, 1983, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 25th December, 1983.

By order of the Governor,
K. Sreedharan,
Law Secretary.

THE CRIMINAL LAW (SECOND AMENDMENT) ACT, 1983
(Central Act 46 of 1983)

AN
ACT

further to amend the Indian Penal Code, the Code of Criminal Procedure, 1973 *and the Indian Evidence Act*, 1872.

Be it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Criminal Law (Second Amendment) Act, 1983.

2. *Amendment of Act* 45 *of* 1860.—In the Indian Penal Code, after Chapter XX, the following Chapter shall be inserted, namely:—

'CHAPTER XXA

Of cruelty by husband or relatives of husband.

498A. *Husband or relative of husband of a woman subjecting her to cruelty.*—Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation.—For the purposes of this section, "cruelty" means—

(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.'.

3. *Amendment of section* 174.—In the Code of Criminal Procedure, 1973 (2 of 1974) (hereinafter referred to as the Code of Criminal Procedure), in section 174, in sub-section (3), for the words "When there is any doubt regarding the cause of death, or when for any other reason the police officer considers it expedient so to do, he shall", the following shall be substituted, namely:—

"When—

(i) the case involves suicide by a woman within seven years of her marriage; or

(ii) the case relates to the death of a woman within seven years of her marriage in any circumstances raising a reasonable suspicion that some other person committed an offence in relation to such woman; or

(iii) the case relates to the death of a woman within seven years of her marriage and any relative of the woman has made a request in this behalf; or

(iv) there is any doubt regarding the cause of death; or

(v) the police officer for any other reason considers it expedient so to do.

he shall".

4. *Amendment of section* 176.—In section 176 of the Code of Criminal Procedure, in sub-section (1), for the words "When any person dies while in the custody of the police", the words, brackets and figures "When any person dies while in the custody of the police or when the case is of the nature referred to in clause (i) or clause (ii) of sub-section (3) of section 174" shall be substituted.

5. *Insertion of new section* 198 *A.*—In the Code of Criminal Procedure, after section 198, the following section shall be inserted, namely:—

"198A. *Prosecution of offences under section* 498 *A of the Indian Penal Code*—No Court shall take cognizance of an offence punishable under section 498A of the Indian Penal Code (45 of 1960) except upon a police report of facts which constitute such offence or upon a complaint made by the person aggrieved by the offence or by her father, mother.

brother, sister or by her father's or mother's brother or sister or, with the leave of the Court by any other person related to her by blood, marriage or adoption.".

6. *Amendment of the First Schedule.*—In the Code of Criminal Procedure, in the First Schedule, after the entries relating to section 498, the following entries shall be inserted, namely:—

Section	Offience	Punishment	Cognizable or non-cognizable	Bailable or non-bailable	By what Court triable
1	2	3	4	5	6
"CHAPTER XXA—OF CRUELTY BY HUSBAND OR RELATIVES OF HUSBAND					
498A	Punishment for subjecting a married woman to cruelty	Imprisonment for three years and fine	Cognizable if information relating to the commission of the offence is given to an officer in charge of a police station by the person aggrieved by the offence or by any person related to her by blood, marriage or adoption or if there is no such relative, by any public servant belonging to such class or category as may be, notified by the State Government in this behalf.	Non-bailable	Magistrate of the first class.".

7. *Amendment of Act 1 of 1872.*—In the Indian Evidence Act, 1872, after section 113, the following section shall be inserted, namely:—

'113A. *Presumption as to abetment of suicide by a married woman.*—When the question is whether the commission of suicide by a woman had been abetted by her husband or any relative of her husband and it is shown that she had committed suicide within a period of seven years from the date of her marriage and that her husband or such

relative of her husband had subjected her to cruelty, the court may presume, having regard to all the other circumstances of the case, that such suicide had been abetted by her husband or by such relative of her husband.

Explanation.—For the purposes of this section, "cruelty" shall have the same meaning as in section 498A of the Indian Penal Code (45 of 1860).'.

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 6631/Leg. Pbn.2/84/Law. *Dated, Trivandrum, 30th April* 1984.

The following Ordinance promulgated by the President and published in a Gazette of India Extraordinary, Part II, Section 1, dated the 5th April, 1984 is hereby republished for general information.

By order of the Governor,
K. Sreedharan,
Law Secretary.

THE NATIONAL SECURITY (AMENDMENT) ORDINANCE, 1984
(No. 5 of 1984)

Promulgated by the President in the Thirty-fifth Year of the Republic of India

An Ordinance to amend the National Security Act, 1980, *in its application to the State of Punjab and the Union territory of Chandigarh.*

Whereas the Council of States is not in session and the President i satisfied that circumstances exist which render it necessary for him to tak immediate action;

Now, therefore, in exercise of the powers conferred by clause (1 of article 123 of the Constitution, the President is pleased to promulgat the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be calle the National Security (Amendment) Ordinance, 1984.

(2) It shall come into force at once.

2. *Amendment of Act* 65 *of* 1980 *in its application to Punjab and Chand garh.*—The National Security Act, 1980 (hereinafter referred to as th principal Act) shall in its application to the State of Punjab and th Union territory of Chandigarh, have effect subject to the amendmen specified in sections 3 to 5.

3 *Amendment of section* 3.—In subsection (4) of section 3 of the principal Act, in the proviso,—

(a) for the words "ten days", the words "fifteen days" shall be substituted;

(b) for the words "fifteen days", the words "twenty days" shall be substituted.

4. *Amendment of section* 8.—In section 8 of the principal Act, in subsection (1), for the words "ten days", the words "fifteen days" shall be substituted.

5. *Insertion of new section 14A*.—In the principal Act, after section 14, the following section shall be inserted, namely:—

'14A. *Circumstances in which persons may be detained for periods longer than three months without obtaining the opinion of Advisory Boards.*—(1) Notwithstanding anything contained in the foregoing provisions of this Act, any person in respect of whom an order of detention has been made under this Act at any time before the 3rd day of April, 1985 may be detailed without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him from acting, in any disturbed area, in any manner prejudicial to—

(a) the defence of India; or

(b) the security of India; or

(c) the security of the State; or

(d). the maintenance of public order; or

(e) the maintenance of supplies and services essential to the community.

Explanation 1.—The provisions of the *Explanation* to subsection (2) of section 3 shall apply for the purposes of this subsection as they apply for the purposes of that subsection.

Explanation 2.—In this subsection, "disturbed area" means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, (32 of 1983) or under section 3 of the Chandigarh Disturbed Areas Act, 1983 (33 of 1983) to be a disturbed area.

(2) In the case of any person to whom subsection (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely:—

(a) in section 10, for the words "shall, within three weeks", the words "shall, within four months and two weeks" shall be substituted;

(b) in section 11,—

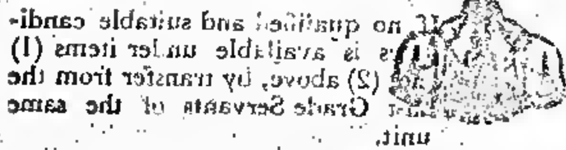
(i) in subsection (1), for the words "seven weeks", the words "five months and three weeks" shall be substituted;

(ii) in subsection (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;

(c) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;

(d) in section 13, for the words "twelve months", the words "two years" shall be substituted.'.

ZAIL SINGH,
President.



GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. (P) No. 54/84/Home. *Dated, Trivandrum, 24th April* 1984.

S. R. O. No. 688/84.—In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), the Government of Kerala hereby make the following rules further to amend the Kerala Judicial Ministerial Subordinate Service Rules, issued in G. O. (P) No. 177/75/PD dated the 2nd September, 1975 and published as S. R. O. No. 900/75 in Part-I of the Kerala Gazette No. 39 dated the 7th October, 1975, as subsequently amended, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Judicial Ministerial Subordinate Services (Amendment) Rules, 1984.

(2) They shall come into force at once.

2. *Amendment to the rules.*—In the Kerala Judicial Ministerial Subordinate Service Rules,—

(1) in rule 4, under *Class I*, after category "4 (c) Tamil Lower Division Clerks (Civil and Criminal Wings)" the following category shall be inserted, namely:—

"(d). Clerk-Typist (Criminal Wing)".

(2) in sub-rule (a) of rule 5, under *Class I*,—

(i) after category "4 (c) Tamil Lower Division Clerks (Civil and Criminal Wings) in column (1) and the entries relating thereto in column (2), the following category and entries shall respectively be inserted; namely:—

"Category 4 (d): Clerk-Typists (Criminal Wing)	1. Promotion from qualified Copyists.

2. If no qualified and suitable candidate is available under item (1) above, by promotion from Attenders (Civil and Criminal Wings) under *Class II*.

3. If no qualified and suitable candidates is available under items (1) and (2) above, by transfer from the Last Grade Servants of the same unit.

4. By direct recruitment.

Note:—Promotion or transfer and direct recruitment shall be in the ratio of 1:2";

(ii) Explanation (2) under the entries in column (2) "Method of appointment", against category "6 (c) Typist Lower Division (Civil and Criminal Wing), shall be omitted".

(3) *in the table under Rule* 12,—

(i) in *Class I*, after category "4 (c) Tamil Lower Division Clerks (Civil and Criminal Wing)" in column (1) and the entries relating thereto in columns (2) and (3), the following category and entries shall, respectively be inserted, namely:—

(d) Clerk-Typist (Criminal Wing)	Promotion or Transfer or Direct Recruitment.	K.G.T.E. (Lower) in Type writing (English) or equivalent qualification". K. G. T. E. (Lower) in Typewriting (Malayalam)

(ii) in *Class* II after the entry in column (3) "qualifications" for appointment by transfer against category "Attenders (Civil and Criminal Wing)" the following Note shall be added namely:—

"Last Grade Servants in possession of S.S.L.C. or equivalent qualification need not pass the Attenders, Test".

By order of the Governor,

N. Kaleeswaran,

Commissioner and Secretary to Government.

Explanatory Note

(This note is not part of the notification but is intended to indicate its general purport).

The qualification fixed in the Kerala Judicial Ministerial Subordinate Service Special Rules for appointment of Attenders by transfer is a pass in the test conducted by the Public Service Commission and for direct recruitment the prescribed qualification is S.S.L.C. Last Grade Employees who are already having the S.S.L.C. qualification cannot be considered for appointment by transfer as Attenders, unless they pass the test conducted by the Public Service Commission for such appointment. It is an anomaly that while direct recruits need only possess S.S.L.C. qualification, a Class IV employee, who already possesses the S.S.L.C. qualification has to pass the test for Attenders conducted by the Public Service Commission as well for appointment as Attender by transfer.

Three posts of Clerk-Typist have been created in the Judicial Second Class Magistrate (Railway) Courts as per the G.O. Rt. 721/81/Home dated 23-3-1981. The new post has to be incorporated in the Kerala Judicial Ministerial Subordinate Service Rules as a new category, prescribing the method of appointment and qualification.

Government consider that the explanation (2) under method of appointment of Typist Lower Division (Civil and Criminal Wing) is not necessary.

The notification is intended to achieve the above objects.

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. (Rt.) No. 1637/84/Home. *Dated, Trivandrum, 14th June* 1984.

S.R.O. No. 689/84.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Kerala hereby appoint Shri M.B. Kurup, Advocate, Ernakulam as Special Public Prosecutor for the conduct of prosecution in RC3/82 CIU-II (George Soman Murder case) in the Chief Judicial Magistrates' Court, Ernakulam.

By order of the Governer,
N. KALEESWARAN,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Government of India, Ministry of Home Affairs has requested to appoint Shri M. B. Kurup, Advocate, Ernakulam as Special Public Prosecutor for conducting prosecution in George Soman Murder Case. Therefore Government consider it necessary to appoint Shri M. B. Kurup, Advocate who is qualified for such appointment for the conduct of prosecution of the case. The notification is intended to achieve this object.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G. O. (Rt.) No. 668/84/LBR. *Dated, Trivandrum, 21st May* 1984.

S. R. O. No. 690/84.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948) read with section 91-A thereof, the Government of Kerala, in consultation with the Employees' State Insurance Corporation, hereby exempt the following nine units of the India Coffee Board Workers' Co-operative Society Ltd. No. 4227, Trichur-1, namely:—

1. Indian Coffee House, Mangalodayam Building, Trichur.
2. Indian Coffee House, M. G. Road, Ernakulam.
3. Indian Coffee House, D. H. Road, Ernakulam.
4. Indian Coffee House, M. L. Road, Kottayam.
5. Indian Coffee House, T. B Road, Kottayam.
6. Indian Coffee House, M. G Road, Changanacherry.
7. Indian Coffee House, Near Mullakkal Temple, Alleppey.
8. Indian Coffee House, Chinnakada, Quilon.
9. Indian Coffee House, M. G. Road, Trivandrum from the operation of the provisions of the said Act for a period from the 16th November, 1983 upto and inclusive of the 30th September, 1984 subject to the following conditions, namely:—

1. The society shall maintain a register showing the names and designations of its employees ; in the nine units.

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

3. The contribution for the exempted period, if already paid, shall not be refunded ;

4. The society shall submit in respect of the period during which it was subject to the operation of the said Act, (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

5. Any Inspector appointed by the Corporation under subsection (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said society be empowered to—

(a) require the society to furnish to him such information as he may consider necessary ; or

(b) enter any factory, establishment office or other premises occupied by the said society at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents, relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the society or the servants, of the said society or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such society office or other premises of the said society.

By order of the Governor,
U. Mahabala Rao,
Commissioner and Secretary to Government Labour and Taxes.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Government have granted exemption to nine units of the India Coffee Board Workers' Co-operative Society Ltd. No. 4227, Trichur-1 from the coverage of ESI. Act for a period of one year from 16-11-1982. The President of the society has requested Government to grant exemption to the society for a further period upto 30-9-1984. The ESI Corporation in their letter No. P. 13/13/4-2/82/Ins.I dated 14th February 1984 has recommended to grant further exemption for a period upto and inclusive of 30th September 1984 as a special case. Government accepted the recommendation of the ESI Co-operation in this regard and decided to grant exemption to the nine units of the society upto and inclusive of 30th September 1984. The notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION

G.O. (Rt.) No. 779/84/LBR. *Dated, Trivandrum, 11th June* 1984.

S.R.O. No. 691/84.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt the Kerala Dinesh Beedi Workers Central Co-operative Society Ltd. Nos. Ind. (c) 61, Dinesh Bhavan, Cannanore-670001, and the following primaries, namely:—

(1) Thottada Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C) 49, P. O. Thottada, Cannanore District.

(2) Chirakkal Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C) 44, P. O. Chirakkal, Cannanore District.

(3) Azhikode Beedi Workers Indl. Co-operative Society Ltd. No. S. IND (C) 43, P. O., Azhikode, Cannanore District

(4) Cannanore City Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C) 46, P. O. Cannanore 3, Cannanore District.

(5) Tellicherry Beedi Workers Indl. Co-operative Society Ltd. No. S. IND (C) 57, P. O. Tellicherry, Cannanore District.

(6) Dharmadam Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C) 54, P. O. Palayad, Cannanore District

(7) Kadirur BeediWorkers Indl. Co-operative Society Ltd. No. S. IND. (C)56, P. O. West Ponniam, Cannanore District.

(8) Pinarayi Beedi Workers Indl. Cooperative Society Ltd. No. S. IND. (C)55, P. O. Pinarayi, Cannanore District

(9) Chala Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C) 51, P. O. Chembilode, Cannanore District

(10) Kakkad Beedi Workers Indl. Co-operative Society Ltd. No. S. IND (C) 52, P. O., Kakkad, Cannanore District

(11) Chalat Beedi Workers Indl. Co-operative Society Ltd. No. S. IND. (C)50, P. O. Chalat, Cannanore District

(12) Cannanore Town Beedi Workers Indl. Co operative Society Ltd. No. S. IND. (C) 45, P. O. Cannanore- 2, Cannanore District.

(13) Kasargod Beedi Workers Indl. Co-operative Society Ltd. No. P. O. Kasargode, Kasargod District

(14) Hosdurg Beedi Workers Indl. Co-operative Society Ltd. P. O. Kanhangad, Kasargod District

(15) Badagara Beedi Workers Indl. Co-operative Society Ltd. P. O. Badagara, Calicut District

(16) Valiannur Beedi Workers Indl. Co-operative Society Ltd. No. P. O., Varam, Cannanore District:

rom the operation of the provisions of the said Act for a period of one year from the 30th May, 1981, subject to the following conditions, namely:—

1. The societies shall maintain a register showing the names and designations of its employees ;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

3. The contribution for the exempted period, if already paid, shall not be refunded ;

4. The societies shall submit in respect of the period during which it was subject to the operation of the said Act, hereinafter referred to as the said period, such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

5. Any Inspector appointed by the Corporation under subsection (I) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act; or.

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said societies be empowered to—

(a) require the societies to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment office or other premises occupied by the said societies at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents,

relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the officers of the societies servants, of the said societies or any person found in such factory establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have heen an employee; or

(d) make copies of or take extracts from any register, account hook or other documents maintained in such societies office or other premises of the said societies.

By order of the Governor,

U. MAHABALA RAO,

Commissioner and Secretary to Government
(Labour and Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Chairman, Kerala Dinesh Beedi Workers Central Co-operative Society Ltd, No. S Ind (c) 61 in his petition dated 25th June 1983, has requested exemption from the provisions of E. S. I. Act for the society and its primaries. As per G.O: Rt. No. 1297/80/LBR dated 12th September 1980 exemption has been granted to the society upto 29th May 1980. As the interests of the Beedi Workers are safeguarded by other relevant Labour regulation, the coverage of workers under ESI Scheme will create lot of difficulties in the smooth running of the society. After consulting Regional Director, ESI Corporation, Trichur and District Labour Officer, Cannanore Government decided to grant exemption to the Kerala Dinesh Beedi Workers Central Co-operative Society Ltd. No. S Ind. (c) 61 from the provisions of ESI Act for a period of one year from 30th May 1981. This notification is intended to achieve the above purpose.

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GOVERNMENT OF KERALA

Labour (F) Department

NOTIFICATION.

G.O. Rt. No. 781/84/LBR. *Dated, Trivandrum, 11th June,* 1984.

S.R.O. No 632/84.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 34 of 1948), read with section 91-A thereof, the Government of Kerala in consultation with the Employees' State Insurance Corporation hereby exempt the Kerala Dinesh Beedi Workers Central Co-operative Society Ltd. No. S. Ind. (C) 61, Dinesh Bavan, Cannanore–67001 and the following primaries, namely:—

(1) Thottada Beedi Workers Indl. Co-operative Society Ltd. No. S.IND (C) 49, P. O. Thottada, Cannanore District

(2) Chirakkal Beedi Workers Indl. Co-operative Society Ltd. No S.IND (C) 44, P. O. Chirakkal, Cannanore District

(3) Azhikode Beedi Workers Indl. Co-operative Society Ltd. No S.Ind (C) 43, P. O. Azhikode, Cannanore District.

(4) Cannanore City Beedi Workers Indl. Co-operative Society Ltd. No. S. IND (C) 46, P. O. Cannanore-3, Cannanore District.

(5) Tellicherry Beedi Workers Indl. Co-operative Society Ltd. No S.IND. (C) 57, P. O. Tellichery, Cannanore District.

(6) Dharmadam Beedi Workers Indl. Co-operative Society, Ltd., No. S. IND. (C) 54, P. O. Palayad, Cannanore District.

(7) Kadirur Beedi Workers Indl. Co-operative Society Ltd. No. S.IND. (C)56, P. O. West Ponniam, Cannanore District.

(8) Pinarayi Beedi Workers Indl. Co-operative Society Ltd. No S.IND (C) 55, P. O. Pinarayi, Cannanore District.

(9) Chala Beedi Workers Indl. Co-operative Society Ltd. No S.IND. (C) 51, P. O. Chembilod, Cannanore District.

(10) Kakkad Beedi Workers Indl. Co-operative Society Ltd. No S.IND.(C) 52, P. O. Kakkad, Cannanore District.

(11) Chalat Beedi Workers Indl. Co-operative Society Ltd. No S.Ind. (C) 50, P. O. Chalat, Cannanore District.

(12) Cannanore Town Beedi Workers Indl. Co-operative Society Ltd No. S. IND (C) 45, P. O. Cannanore-2, Cannanore District

(13) Kasargod Beedi Workers, Indl. Co-operative Society Ltd P. O. Kasargod, Kasargod District.

G. 870.

(14) Hosdurg Beedi Workers Indl. Co-operative Society Ltd., P. O. Kanhangad, Kasargod District.

(15) Badagara Beedi Workers Indl. Co-operative Society Ltd., P. O. Badagara, Calicut District.

(16) Valiannur Beedi Workers Indl. Co-operative Society Ltd., P.O. Varam, Cannanore District.

from the operation of the provisions of the said Act for a period of one year from the 30th May, 1983, subject to the following conditions, namely:—

1. The societies shall maintain a register showing the names and designations of its employees;

2. Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

3. The contribution for the exempted period, if already paid, shall not be refunded;.

4. The societies shall submit in respect of the period during which it was subject to the operation of the said Act, (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

5. Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purposes of—

(i) verifying the particulars contained in any return submitted under subsection (1) of section 44 of the said Act ; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or

(iii) ascertaining whether the employees continued to be entitled to the benefits provided by the employer in cash and kind being benefits in considerations of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the said Act had been complied with during the period when such provisions were in force in relation to the said Societies be empowered to—

(a) require the societies to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by the said societies at any reasonable time and require any person found in charge, thereof to produce to such Inspector or other official and allow him to examine such documents, books and other documents relating to the

employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the officers of the Societies, servants of the said societies or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from any register, account book or other documents maintained in such societies, office or other premises of the said societies.

By order of the Governor,

U. MAHABALA RAO,

Commissioner and
Secretary to Government
(Labour and Taxes).

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Chairman, Kerala Dinesh Beedi Workers Central Co-operative Society Ltd. No. S. Ind (C) 61, Cannanore in his petition dated 25-6-1983 has requested exemption from the provisions of ESI Act for society and its primaries. As per G. O. Rt. 1297/80/LBR dated 12-9-1980 exemption has been granted to the society up to 29-5-1980. As the interests of the Beedi workers are safeguarded by other relevant Labour regulation cover age of workers under ESI Scheme will create lot of difficultes in the smooth running of the society. After consulting Regional Director, ESI Corporation, Trichur and District Labour Officer, Cannanore Government decided to grant exemption to the Kerala Dinesh Beedi Workers Central Co-operative Society Ltd. No. S Ind. (C) 61 from the provisions of ESI Act for a period of one year from 30-5-1983. This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

WITHDRAWAL NOTIFICATION

G.O. Rt. No. 1688/84/LA&SWD. *Dated, Trivandrum, 18th May 1984.*

S. R. O. No. 693/84.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961, (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the Schedule hereto annexed in respect of which land acquisition proceedings were initiated by the Special Tahsildar, Additional Land Acquisition Unit, Trivandrum, by the issue of Notification No. A2 157/81 dated the 16th September, 1981, under subsection (1) of section 3 thereof, published at page 3 in column 1 & 2 of the Mathrubhumi Daily dated the 2nd November, 1981 and at page 4 in column 1 & 2 of the Kerala Kaumudi Daily dated the 23rd September, 1981.

SCHEDULE

District—Trivandrum.

Taluk—Trivandrum. *Village*—Uliyazhathura.

Sy. No.—923/Part
Description—Dry
Extent—81 Sq. Metre

Explanatory Note

(This does not form part of the notification but is intended to indicate the general purport.)

As per requisition for acquisition of 81 Sq M. of land comprised in Survey No. 923/part of Uliyazhathura Village for widening the Mannanthala-Powdikonam road, sent by the District Panchayat Officer, Trivandrum to the District Collector, Trivandrum was notified under section 3 (1) of the Kerala Land Acquisition Act. Later the land owner surrendered the said land to the Panchayat authorities free of cost. Therefore as per resolution No. XIX dated 25-7-1983, the Sreekaryam Panchayat has requested the Special Tahsildar, Additional Land Acquisition Unit, Trivandrum to drop the land acquisition proceedings initiated for widening of Mannanthala-Powdikonam road. Hence the withdrawal notification.

എസ്. ആർ. ഒ. നമ്പർ 693/84 —1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം കേരള സർക്കാർ ഇതോടൊന്നിച്ചു ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1981 നവംബർ 2-ാം തീയതിയിലെ മാതൃഭൂമി ദിനപത്രത്തിന്റെ 3-ാം പേജിൽ 1-ം 2-ം കാളങ്ങളിലും 1981 സെപ്റ്റംബർ 23-ാം തീയതിയിലെ കേരള കൗമുദി ദിനപ്പത്രത്തിന്റെ 4-ാം പേജിൽ 1-ം 2-ം കാളങ്ങളിലും പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പു (1)-ാം ഉപവകുപ്പുപ്രകാരമുള്ള 1981 സെപ്റ്റംബർ 16-ം തീയതിയിലെ എ2-157/81 എന്ന നമ്പർ വിജ്ഞാപനം പുറപ്പെടുവിച്ചുകൊണ്ട് തിരുവനന്തപുരം അഡിഷണൽ സ്ഥലമെടുപ്പ് യൂണിറ്റിലെ സ്പെഷ്യൽ തഹശീൽദാർ സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—തിരുവനന്തപുരം

താലൂക്ക്—തിരുവനന്തപുരം വില്ലേജ്— ഉളിയാഴ്ത്തുറ

സർവ്വെ നമ്പർ—923/ ഭാഗം
വിവരണം—പുരയിടം
വിസ്തീർണ്ണം—81 ചതുരശ്രമീറ്റർ

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമാകുന്നതല്ല. എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

മണ്ണന്തല-പൗഡിക്കോണം റോഡ് വീതി കൂട്ടുന്നതിന് വേണ്ടി ഉളിയാഴ്ത്തുറ വില്ലേജിലെ സർവേ നമ്പർ 923/ഭാഗം-ൽ ഉൾപ്പെട്ട 81 ചതുരശ്രമീറ്റർ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുവേണ്ടി തിരുവനന്തപുരം ജില്ലാ പഞ്ചായത്ത് ഓഫീസർ തിരുവനന്തപുരം ജില്ലാ കളക്ടർക്ക് അയച്ച അപേക്ഷ അനുസരിച്ച് കേരള സ്ഥലമെടുപ്പ് ആക്ടിലെ 3 (1)-ാം വകുപ്പുപ്രകാരം ഉള്ള വിജ്ഞാപനം പ്രസിദ്ധപ്പെടുത്തി. ഭൂവുടമ പിന്നീട് പ്രസ്തുത ഭൂമി വില കൂടാതെ പഞ്ചായത്ത് അധികൃതർക്ക് വിട്ടുകൊടുത്തു. അതിനാൽ 25/7/83-ലെ XIX-ാം നമ്പർ പ്രമേയമനുസരിച്ച് ശ്രീകാര്യം പഞ്ചായത്ത് തിരുവനന്തപുരം അഡീഷണൽ സ്ഥലമെടുപ്പ് യൂണിറ്റിലെ സ്പെഷ്യൽ തഹശീൽദാരോട് മണ്ണന്തല പൗഡിക്കോണം റോഡ് വീതി കൂട്ടുന്നതിന് ആരംഭിച്ച സ്ഥലമെടുപ്പ് നടപടികൾ നിറുത്തിവയ്ക്കുന്നതിന് ആവശ്യപ്പെടുകയുണ്ടായി. അതിനാലാണ് പിൻവാങ്ങൽ വിജ്ഞാപനം പുറപ്പെടുവിക്കുന്നത്.

By order of the Governor,

V.R. PADMANABHAN,

Joint Secretary to Government.

GOVERNMENT OF KERALA

Public Works (C) Department

WITHDRAWAL NOTIFICATION

No. 38679/C2/83/PW. *Dated, Trivandrum,* 18*th May* 1983.

S.R.O. No. 694/84.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the lands mentioned in the shedule hereto annexed in respect of which land acquisition proceedings were initiated by the issue of Notification No. A 624/79, dated the 18th July 1979 by the Special Tahsildar, Land Acquisition (General), Malappuram under subsection (1) of section 3 and subsection (4) of section 19 thereof published at page 1 (Supplem nt to the Revenue Board) of Part III of the Kerala Gazette dated the 20th January, 1980 and the declaration No. L. Dis. 33294/80/LFC4 dated the 19th September, 1980 by the Board of Revenue under section 6 of the said Act published in the Veekshanam Daily dated the 25th July, 1981 and the Chandrika Daily the 26th July, 1981.

SCHEDULE

District—Malappuram.

Taluk—Ernad. *Village*—Payyanad.

Sy. No.—673/7
Description—O.D.
Extent in hectare—0.1600

Explanatory Note

(This is not a part of the notification, but is intended to indicate the general purport.)

The land mentioned in the notification proposed to be acquired by District Collector, Malappuram to evit for the construction of Nellikkuthu Bridge and its approach road. Due to the change in the location, the land mentioned above is not necessary. Hence the withdrawal notification.

എസ്. ആർ. ഒ. നമ്പർ 694/84.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം കേരള സർക്കാർ ഇതോടൊന്നിച്ച് ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1980 ജനുവരി 20-ാം തീയതിയിലെ കേരള ഗസററ് III-ാം ഭാഗത്ത് 1-ാം പേജിൽ (റവന്യു ബോർഡ് അനുബന്ധം) പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത

ആക്ററ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പും 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പും പ്രകാരമുള്ള 1979 ജൂലൈ 18-ാം തീയതിയിലെ എ. 624/79 എന്ന നമ്പർ വിജ്ഞാപനവും 1981 ജൂലൈ 25-ാം തീയതിയിലെ വീക്ഷണം ദിനപ്പത്രത്തിലും 1981 ജൂലൈ 26-ാം തീയതിയിലെ ചന്ദ്രിക ദിനപ്പത്രത്തിലും പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത ആക്ററ് 6-ാം വകുപ്പുപ്രകാരമുള്ള റവന്യൂ ബോർഡിന്റെ 1980 സെപ്ററംബർ 19-ാം തീയതിയിലെ എൽ. ഡിസ്. 33294/80/എൽ. എഫ്, സി. 4 എന്ന നമ്പർ പ്രഖ്യാപനവും പുറപ്പെടുവിച്ചുകൊണ്ട്, മലപ്പുറം സ്ഥലമെടുപ്പ് (ജനറൽ) സ്പെഷ്യൽ തഹശീൽദാർ സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—മലപ്പുറം

താലൂക്ക്—ഏറനാട് വില്ലേജ്—പയ്യനാട്

സർവ്വെ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
673/7	ഒ. ഡി.	0.1600

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല, എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കാനുദ്ദേശിച്ചു കൊണ്ടുള്ളതാണ്.)

വിജ്ഞാപനത്തിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി നെല്ലിക്കുത്തുപാലവും അതിന്റെ അപ്രോച്ച് റോഡും പണിയുന്നതിനുവേണ്ടി, മലപ്പുറം ജില്ലാ കളക്ടറർ വിലയ്ക്കെടുന്നതിന് നിർദ്ദേശിച്ചിരുന്നു. സ്ഥാനത്തിലുള്ള മാററംമൂലം മുകളിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ആവശ്യമില്ലാതെവന്നു. അതിനാണു ഈ പിൻവാങ്ങൽ വിജ്ഞാപനം പുറപ്പെടുവിക്കുന്നത്.

By order of the Governor,
K. RAGHAVA KURUP,
Joint Secretary to Government.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 12480/TC1/84/TF&P. *Dated, Trivandram, 4th June,* 1984.

S. R. O. No. 695/84.—Whereas representation has been received by Government from the Stage Carriage Operators Shri M.A. Chandran, Muriyankadan House, P.O. Irinjalakuda, Trichur and Shri K.S. Revi, Siva Vilas Motor Service, Irinjalakuda, Trichur that the vehicle tax for the quarter ended on the 3th June, 1984 in respect of the Stage Carriage bearing Registration Numbers KEF. 5655 and KLA 6470 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June 1984 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1984 in respect of the said stage carriage; upto 20th May 1984.

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June 1984 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 20th May, 1984 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification(5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
V. A. AUGUSTINE,
Additional Secretary to Government.

G. 878 [P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended on the 30th June 1984 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 12496/TC1/84/TF&P. *Dated, Trivandrum, 4th June* 1984.

S.R.O. No. 696/84.—Whereas representation has been received by Government from the Stage Carriage Operator Shri P. S. Radhakrishnan, Plakkottuparambil, P. O. Kundukad, Trichur that the vehicle tax for the quarter ended on the 30th September, 1983, 31st December, 1983, 31st March 1984 and 30th June, 1984 in respect of the Stage Carriage bearing Registration Number KLH 3789 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1983, 31st December, 1983, 31st March 1984 and 30th June, 1984 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1983, 31st December 1983, 31st March 1984, and 30th June 1984 in respect of the said stage carriage; upto 25th May 1984.

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1983, 31st December 1983, 31st March 1984, and 30th June 1984 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 25th May 1984 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
V. A. Augustine,
Additional Secretary to Government.

C. 679 [v. v. o.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended on the 30th September 1983, 31st December 1983, 31st March 1984, and 30th June 1984 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.



GOVERNMENT OF KERALA

Transport, Fisheries and Ports (E) Department

NOTIFICATION

G.O. (P) 40/84/TF&PD. *Dated, Trivandrum, 14th June* 1984.

S.R.O.No.697/84.—In exercise of the powers conferred by rule 4 of the Kerala Fishermen Welfare Societies (Preparation and Publication of List of Fishermen) Rules, 1980, the Government of Kerala hereby constitute the appellate authorities specified in column (1) of the Schedule below for the purposes of the said Rules, with jurisdiction in the area specified against each in column (2) thereof, namely:—

SCHEDULE

Appellate Authorities	*Area of jurisdiction*
1. Deputy Director of Fisheries, Trivandrum.	Trivandrum Revenue District
2. Deputy Director of Fisheries, Quilon.	Quilon Revenue District
3. Assistant Director of Fisheries, Alleppey.	Alleppey Revenue District
4. Deputy Director of Fisheries, (Zonal) Ernakulam.	Ernakulam Revenue District
5. Assistant Director of Fisheries, Trichur.	Trichur Revenue District
6. Assistant Director of Fisheries, Ponnani.	Malappuram Revenue District
7. Assistant Director of Fisheries, (Zonal) Kozhikode.	Kozhikode Revenue District
8. Deputy Director of Fisheries, Cannanore.	Cannanore Revenue District

By order of the Governor,
R. C. CHOUDHURY,
Secretary to Government.

Explanatory Note

(This is not a part of the notification but is intended to indicate its general purport.)

There is provision in the rule 4 issued under S.R.O. No. 1063/83 for constituting as many appellate authorities as may be necessary for the purposes of the rules for finalising appeal against the decision of Fisheries Officers on the list of Fishermen Welfare Societies prepared and published by them. This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (C) Department

NOTIFICATION

G.O. (Rt) No. 386/84/TF&P. *Dated, Trivandrum, 2nd June* 1984.

S. R. O. No. 698/84.—In exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), the Government of Kerala being satisfied that it is necessary in the public interest so to do, hereby make an exemption in regard to the tax payable under the said Act, in respect of vehicles bearing Registration Numbers MRL 9415 and M.M.F. 1364 belonging to the Nehru Science Centre, Bombay subject to the condition that the said vehicles shall be used by the said centre solely for the educational purpposes of the said centre and shall not be used for any other purpose, by any person either with or without payment of charges.

By order of the Governor,

V.A. Augustine,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to explain the reason for the issue)

The Government of India Ministry of Shipping & Transport (Transport Wing) have requested that the Vehicles bearing Reg. Numbers, MRL 9415 and MMF. 1365 belonging to the Nehru Science Centre, Bombay may be exempted from payment of vehicle tax since these vehicles are solely used for educational purposes relating to the said centre. Government are convinced that these vehicles are used only for educational purpose of the above centre and have decided to grant exemption as notified. Hence the notification.

GOVERNMENT OF KERALA

Water and Power Department

WITHDRAWAL NOTIFICATION

No. 37132/IR3/83/W&P. *Dated, Trivandrum, 6th February* 1984.

S. R. O. No. 699/84.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the lands mentioned in the Schedule hereto annexed in respect of which lands acquisition proceedings were initiated by the Special Tahsildar, Land Acquisition No. IV., Muvattupuzha Valley Irrigation Project, Koothattukulam, by the issue of Notification No. Al. 225/82 dated the 16th March, 1983, under subsection (1) of section 3 thereof published in the Malayala Manorama daily dated the 22nd March, 1983 and Mathrubhoomi Daily dated the 28th March, 1983.

SCHEDULE

District—Ernakulam

Taluk—Muvattupuzha. *Village*—Arakuzha.

Sl. No.	*Survey No.*	*Description*	*Extent in Hectare*
			H.A.Sq.M.
1	933/3-D1	Dry	0.00.70
2	934/2-A	,,	0.12.00
3	967/10-1	Wet	0.05.67
4	967/10-2	,,	0.02.67
5	967/10-3	,,	0.00.50
6	967/11-1	,,	0.00.40
7	967/9-1	,,	0.01.00
8	967/9-2	,,	0.00.20
9	964/3-3	,,	0.13.50
10	964/3-4	,,	0.01.60
11	964/3-8	,,	0.03.00
		Total	0.41.24

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Executive Engineer, MVIP Division No. II, Koothattukulam in his letter No. D5. 275/A/78 dated 13-12-1982 had forwarded a requisition for the acquisition of 41.24 ares of land in Arakuzha Village in Muvattupuzha Taluk for additional working area for Parakadavu acqueduct of Muvattupuzha Valley Irrigation Project. Land acquisition proceedings were intiated for the acquisition of the land. Subsequently the Executive Engineer has intimated that the above lands are not required as they have arranged the land on lease basis. Hence it is decided to notification is to achieve the above object.

എസ് ആർ. ഒ. നമ്പർ 699/84.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം, കേരള സർക്കാർ ഇതോടൊന്നിച്ച് ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1983 മാർച്ച് 22-ാം തീയതിയിലെ മലയാള മനോരമ ദിനപ്പത്രത്തിലും, 1983 മാർച്ച് 28-ാം തീയതിയിലെ മാതൃഭൂമി ദിനപ്പത്രത്തിലും പ്രസിദ്ധീകരിച്ച, പ്രസ്തുത ആക്റ്റ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരമുള്ള 1983 മാർച്ച് 16-ാം തീയതിയിലെ എ1-225/82 എന്ന നമ്പർ വിജ്ഞാപനം പുറപ്പെടുവിച്ചുകൊണ്ട്, കൂത്താട്ടുകുളം എം. വി. ഐ. പ്രോജക്റ്റ് 4-ാം നമ്പരിലെ സ്പെഷ്യൽ തഹസീൽദാർ (എൽ. എ.) സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—എറണാകുളം.

താലൂക്ക്—മൂവാററുപുഴ. വില്ലേജ്—ആരക്കുഴ.

ക്രമ നമ്പർ	സർവ്വെനമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	933/3ഡി1	പുരയിടം	0.00.70
2	934/2എ	,,	0.12.00
3	967/10-1	നിലം	0.05.67
4	967/10-2	,,	0.02.67
5	967/10-3	,,	0.00.50
6	967/11-1	,,	0.00.40
7	967/9-1	,,	0.01.00
8	967/9-2	,,	0.00.20
9	964/3-3	,,	0.13.50
10	964/3-4	,,	0.01.60
11	964/3-8	,,	0.03.00
		ആകെ	0.41.24

വിശദീകരണക്കുറിപ്പ്

ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽഅതിന്റെ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.

കൂത്താട്ടുകുളം എം. വി. ഐ. പി. ഡിവിഷൻ നമ്പർ 11-ലെ എക്സിക്യൂട്ടീവ് എൻജിനീയർ അദ്ദേഹത്തിന്റെ 13-12-1982 ലെ ഡി 5. 257/എ/85 എന്ന നമ്പറിൽ, എം. വി. ഐ. പ്രോജക്ടിന്റെ പാറക്കടവ് അക്വഡക്ടിന്റെ അധിക പണിസ്ഥലത്തിനുവേണ്ടി മൂവാററുപുഴ താലൂക്കിൽ ആരക്കുഴ വില്ലേജിലുള്ള 41. 24 ആർ ഭൂമി. വിലയ്ക്കെടുക്കുന്നതിന് അഭ്യർത്ഥിച്ചിരിക്കുന്നു. ആ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിനുള്ള സ്ഥലമെടുപ്പു നടപടികൾ ആരംഭിക്കുകയും ചെയ്തു. ഭൂമി പാട്ടത്തിനു ഏർപ്പാടു ചെയ്തുകൊണ്ട് മുകളിൽ പറഞ്ഞിരിക്കുന്ന ഭൂമി ആവശ്യമില്ലെന്ന് എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ പിന്നീട് അറിയിച്ചു. അതിനാൽ സ്ഥലമെടുപ്പു നടപടികളിൽ നിന്നും പിൻവാങ്ങാൻ തീരുമാനിച്ചു. മുകളിൽപ്പറഞ്ഞ ആവശ്യം നിറവേററുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,

B. VASANTHI,

Joint Secretary to Government.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 9016/TC2/84/TF&P. *Dated, Trivandrum, 4th June* 1984.

S.R.O. No. 713/84.—Whereas, representation has been received by Government from the Stage Carriage Operator Shri K. M. M. Haneefa, Shibu Manzil, Perumpuzha, Quilon that the vehicle tax for the quarter ended on the 30th June, 1983, 30th September, 1983 and 31st December, 1983 in respect of the Stage Carriage bearing Registration Number KLQ. 6627 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th June, 1983, 30th September, 1983 and 31st December, 1983 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1983, 30th September, 1983 and 31st December, 1983.

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June, 1983, 30th September, 1983 and 31st December, 1983 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 31st March, 1983 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

V. A. Augustine,

Additional Secretary to Government

G. 915 (P.T.O.)

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th June, 1983, 30th September, 1983 and 31st December, 1983 due to financial strain ;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might qe put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 27 dated 3rd July 1984.
PART I **Section iv**

GOVERNMENT OF KERALA

Agriculture (Co-operation—B) Department

NOTIFICATION

No. 5309/CB1/84/AD. *Dated, Trivandrum, 22nd June* 1984.

S. R. O. No. 719/84.—Whereas under clause (b) of sub-rule (1) of rule 44 of Kerala Co-operative Societies Rules, 1969, no member of the society shall be eligible for being elected or appointed as a member of the committee of the society under section 28 of the Kerala Co-operative Societies Act, 1969 (21 of 1969), if he is a near relative of a paid employee of the Society;

And whereas, under clause (a) of sub-rule (2) of rule 44 of the said rules, a member of the Committee of a society shall cease to hold office as such if he becomes disqualified under sub-rule (1) of the said rule 44;

And whereas Sri Meloth Narayanan Nambiar, one of the Directors and the President of the Kasaragod Co-operative Land Mortgage Bank Limited, has become disqualified by virtue of the provisions in sub-rule (1) of rule 44 of the said rules consequent on the Marriage of his daughter to a paid employee of the said Bank;

And whereas the Registrar of Co-operative Societes has requested Government to exempt the said Bank from the provisions of clause (b) of sub-rule (1) and clause (a) of sub-rule (2) of Rule 44 of Kerala Co-operative Societies Rules, 1969, for the purpose of enabling the said Bank to get the continued services of the said Sri. Meloth Narayanan Nambiar as Director and President of the said Bank;

And whereas, the Government are satisfied that it is necessary, in public interest, to exempt the Kasaragod Co-operative Land Mortgage Bank Limited from the provisions of clause (b) of sub-rule (1) and clause (a) of sub-rule (2) of rule 44 of Kerala Co-operative Societies Rules, 1969;

Now, therefore, in exercise of the powers conferred by rule 181 of the Kerala Co-operative Societies. Rules, 1969, the Government of Kerala hereby exempt the Kasaragod Co-operative Land Mortgage Bank Limited, Kasaragode, from the provisions of clause (b) of sub-rule (1) and clause (a) of sub-rule (2) of rule 44 of Kerala Co-operative Societies Rules, 1969, for the limited purpose of enabling the State Bank to get the continued services of Sri. Meloth Narayanan Nambiar as Director and President of the said Bank.

By order of the Governor,
M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

[P.T.O.]

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The Government, in public interest, have decided to grant necessary exemption to the Kasaragod Co-operative Land Mortgage Bank Limited from the provisions of clause (b) of sub-rule (1) and clause (a) of sub-rule (2) of rule 44 of Kerala Co-operative Societies Rules, 1969 so as to enable the said Bank to get the services of Sri. Meloth Narayanan Nambiar continued as Director of the said Bank. This notification is intended to achieve the above object.

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1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday, 3rd July 1984 / 12th Ashadha 1906 (Saka) [No. 557

NOTIFICATION

UNDER SECTION 13 OF KERALA SURVEY AND BOUNDARIES ACT, 1961

No. B2-657/79. *28th June 1984.*

1. It is hereby notified under section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the undermentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

PARTICULARS OF THE AREA

Taluk—Trichur Village—Kanimangalam

Sy. Nos. Completed—215/1, 215/4, 215/5, 216/3, 216/4.

(Sd.)

Trichur. *Special Tahsildar (L.A.), Railways and Land Acquisition Officer.*

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS. TRIVANDRUM, 1984.

33/2619/1.

Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Transport, Fisheries & Ports (H) Department

NOTIFICATION

No. 3764/H3/84/TF&P. *Dated, Trivandrum, 6th June* 1984.

S.R.O. No. 720/84.—Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala, with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas, it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit for the construction of Telephone Exchange building;

Now, therefore, notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

SCHEDULE

District—Cannanore.

Taluk—Tellicherry. Village—Panoor.

33/2645/S.

(The extent given is approximate)

Classification—R. Garden.

Sl. No.	*Survey No.*	*Extent in Hectare*
1	19/1B Pt.	0.1700
2	19/1C Pt.	0.1500
	Total	0.3200

എസ്. ആർ. ഒ. നമ്പർ 720/84.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൽ II. എന്ന നമ്പർ വിജ്ഞാപനംമൂലം കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും ;

താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത്, ടെലഫോൺ എക്സ്ചേഞ്ച് കെട്ടിടം നിർമ്മിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള സർക്കാരിന് തോന്നുന്നതിനാലും ;

ഇപ്പോൾ, അതിനാൽ, അതു സംബന്ധിച്ച നോട്ടീസ് ബന്ധപ്പെട്ട എല്ലാ പേർക്കും പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പ്(1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ പ്രകാരം ഇതിനാൽ നൽകുന്നു.

പട്ടിക

ജില്ല—കണ്ണൂർ. താലൂക്ക്—തലശ്ശേരി.

വില്ലേജ്—പാനൂർ.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്.)

വിവരണം—തോട്ടം.

ക്രമ നമ്പർ	സർവ്വെനമ്പർ	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	19/1ബി (ഭാഗം)	0.1700
2	19/1സി (ഭാഗം)	0.1500
	ആകെ	0.3200

By order of the Governor,

V. A. AUGUSTINE,

Additional Secretary to Government.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.



[illegible]

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Tuesday, 3rd July 1984 / 12th Ashadha 1906 (Saka) [No. 559

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (H) Department

NOTIFICATION

No. 14121/H3/84/TF&P. *Dated: Trivandrum, 5th June 1984.*

S. R. O. No. 721/84.—Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India, the President has in Notification No. 2/4/63/Judl.II dated 31-5-1963 entrusted the Government of Kerala with their consent, the funttions of the Central Government under the Kerala Land Acquisition Act, 1961 (21 of 1962), in relation to the acquisition of land for the purpose of the Union in the State of Kerala;

And whereas, it appears to the Government of Kerala that the land specified in the schedule below is needed or is likely to be needed for a public purpose, to wit for the construction of Trichur Post Office;

Now, therefore, notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of subsection (1) of section 3 of the said Act.

33/2646/V.

SCHEDULE

District—Trichur.

Taluk—Trichur. Village—Trichur.

(The extent given is approximate)

Survey No.	*Classification*	*Extent in Hectare*
1300/2.	Dry	0.0769

എസ്. ആർ. ഒ. നമ്പർ 721/84.—ഇൻഡ്യൻ ഭരണഘടന 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൻ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം കേരളസംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ-21) പ്രകാരമുള്ള കേന്ദ്രസർക്കാരിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമി ഒരു പൊതുകാര്യത്തിന് അതായത് തൃശ്ശൂർ പോസ്റ്റാഫീസ് കെട്ടിടം പണിയുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള സർക്കാരിനു തോന്നുന്നതിനാലും;

ഇപ്പോൾ അതിനാൽ അതിനുള്ള നോട്ടീസ്, ബന്ധപ്പെട്ട എല്ലാപേർക്കും പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകളനുസരിച്ച് ഇതിനാൽ നൽകുന്നു.

പട്ടിക

ജില്ല—തൃശ്ശൂർ.

താലൂക്ക്—തൃശ്ശൂർ. വില്ലേജ്—തൃശ്ശൂർ.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

സർവ്വെ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1300/2	പുരയിടം	0.0769

By order of the Governor,

V. A. AUGUSTINE,

Additional Secretary to Government.

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